



The Future of the Abbey Line



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Foreword



Converting the Abbey Line between St Albans and Watford Junction to tram operation gives us the opportunity to try something new and at the same time deliver a better service for passengers.

We want to improve the rail service to match local people's expectations and reduce road congestion in the area. Thanks to the brilliant work of the local Community Rail Partnership, the Abbey Line is thriving and passenger numbers have grown by 20 per cent in four years. At the moment there is only one service on the line every 45 minutes, but taking a conventional approach

and running more trains on the line would be too expensive. So we need to do something different.

I have agreed with Hertfordshire County Council that, subject to the outcome of this consultation and the successful tendering of a tram service, we will transfer responsibility for the Abbey Line to them, making it a local transport facility. The line will run a light rail service using tram vehicles on the existing rail line rather than traditional heavy rail. This solution should provide a more frequent service, with at least two trams an hour as well as increased capacity. Additionally, the necessary installation of a passing loop, required to increase frequency, can be done at a fraction of the cost of its heavy rail equivalent because less expensive signalling equipment is required. Fundamentally, the improved service can be provided for roughly the same budget as currently expended to maintain the less regular heavy rail service. I have no doubt that we can make these innovative plans a success and deliver a much better service for passengers.

We announced our plans at the end of October. The next step is to consult local people and interested groups on the principles behind our proposals, ahead of finalising the statutory, legal, technical and contractual issues which the Department for Transport and Hertfordshire County Council are working through together.

I also want to make the most of the lessons which these plans can give to other areas. It shows how local authorities and an adaptable rail industry can work together to develop a better service for passengers.



Andrew Adonis
Rt Hon. Lord Adonis,
Secretary for State for Transport
January 2010

Foreword



I am delighted to be inviting the public to comment on the exciting proposals for the Abbey Line.

It takes 16 minutes to travel between St Albans and Watford on the Abbey Line, while the same journey by road can take anywhere from 20 minutes to over an hour, depending on traffic. This area has some of the busiest roads in the country and it's clear to me that the innovative proposals in this consultation will play a part in tackling congestion.

For some years, Hertfordshire County Council has been looking for ways to increase the frequency of services on the Abbey Line through the creation of a 'passing loop' and we are delighted to be promoting this option through this proposal to convert the service to light rail. We believe that the local county council is best placed to manage what is essentially a local transport facility and welcome the Department for Transport's proposal to devolve responsibility for the line. We would be delighted to be able to make such a positive improvement to an important transport route in the county and look forward to taking on responsibility for the line in the near future.

The Abbey Line is already a success story. Since 2005, when we established the Abbey Line Community Rail Partnership, the partnership has successfully delivered station improvements, publicity events, and engagement with the local community. As a result, use of the line has increased by over 20% since the partnership was established, well above the national average.

The main focus of our work, however, has been on finding cost-effective ways to increase the frequency of the service. It is the culmination of this project that has led to the proposals in this consultation document.

This consultation is an opportunity to make your views known and with your support we can progress this proposal to the next stages. The Abbey Line is a vital local transport link and I encourage local residents and interested groups to comment on the principles presented in this proposal.

A handwritten signature in dark ink, appearing to read 'R. Gordon', is positioned above the printed name.

Robert Gordon, DL
Leader of Hertfordshire County Council
January 2010

Executive summary

1. The Department for Transport (DfT) and Hertfordshire County Council (HCC) want to increase the frequency of services on the route between Watford Junction and St Albans Abbey in Hertfordshire (the 'Abbey Line') and the two organisations have worked together to develop a scheme to enable this to happen.
2. We propose to convert the Abbey Line to light rail, which means that the line will run tram vehicles rather than traditional heavy rail vehicles. This will bring significant benefits to the travelling public; in particular a more frequent service and a timetable that is easier to remember.
3. The new services will use the same railway track and overhead power lines as the existing service. It will need different vehicles, which will have to be procured, and potentially some modifications to the infrastructure and power supply.
4. Our basic specification is that services between Watford Junction and St Albans should run at least half-hourly. However, it may be possible to run them even more frequently than that, and/or with extended operating hours.
5. We also propose that responsibility for the line should transfer to Hertfordshire County Council, so it would become locally operated and accountable.
6. Under these plans the County would take responsibility for the service and DfT would transfer the money that would otherwise have been paid to London Midland, who currently operates the service.
7. In order to deliver these changes we plan to remove the requirement to run services along this line from London Midland's franchise agreement. We will also seek to exempt the new service from some of the heavy rail licensing requirements, which will no longer be appropriate for a light rail scheme. The mechanism for doing this will be a Statutory Instrument ('SI'), which is attached in draft to this consultation.

1. Introduction

- 1.1** DfT and HCC want to increase the frequency of services on the route between Watford Junction and St Albans Abbey in Hertfordshire (the 'Abbey Line') and have worked together to develop a scheme to enable this to happen.
- 1.2** We propose to convert the Abbey Line to light rail, which means that the line will run tram vehicles rather than traditional heavy rail vehicles. We believe that this will bring significant benefits to the travelling public. In particular it will allow a more frequent service and a timetable that is easier to remember. We also proposed that responsibility for the line and the services should transfer to HCC.
- 1.3** This document sets out our proposals in principle and seeks views on whether they are the right thing to do and includes the draft Statutory Instrument needed to enable these plans to be delivered. In parallel we will discuss the technical details with potential operators of the line.

Current operation

- 1.4** The current train service consists of 21 return journeys per day between St Albans Abbey Station and Watford Junction from Monday to Saturday and 15 journeys on Sundays. Monday to Saturday, the trains run every 45 minutes. On Sundays the frequency is hourly.
- 1.5** Currently, only one train runs on the line at any one time as there is no facility to allow trains to pass on the route.
- 1.6** There are no freight services on the line and there is insufficient capacity on the West Coast Main Line to allow trains to run through from the line to the rest of the rail network.
- 1.7** The trains currently used on the line are generally four carriage Class 321s, although it is expected that these would be replaced in due course.
- 1.8** With the exception of Watford Junction, none of the stations on the line are staffed. A ticket issuing machine has been installed at the upgraded St

Albans Abbey Station. However, tickets are generally bought on the train from the conductor/guard.

1.9 Around 450,000 passengers per year use the service.

2. Proposed new arrangements

A different specification

- 2.1** Considerable work has already been carried out to explore whether an enhanced heavy rail service could be provided on the line. Whilst we have ultimately concluded that this is not deliverable, we would still like to see a more frequent service on the Abbey Line and have therefore been considering alternative solutions.
- 2.2** In order to deliver a more frequent service, we propose using light rail technology. In effect we expect this to involve running tram vehicles on the existing railway track.
- 2.3** This could be an ideal solution for the Abbey Line for the following reasons:
- the Abbey Line has the characteristics of a light rail route – it is short, self contained, and has very frequent stops;
 - light rail passing loops require less signalling and should have a much lower cost; and
 - a number of European light rail transport systems are moving over to low floor vehicles with the result that high floor vehicles with a considerable life left in them are being released. These vehicles are suitable for use on the Abbey Line which has platforms at the stations compatible with high floor vehicles.
- 2.4** Subsequently, we commissioned a study to investigate the potential for light rail use on the Abbey Line. The study concluded that it would be viable and furthermore, the operating costs for a more frequent service are likely to be less than those for the existing heavy rail service.
- 2.5** The key benefits we are seeking for passengers are a more frequent service and a more memorable timetable. As such, it is our intention to seek bids from operators able to deliver a half-hourly service as a minimum. A more frequent service will be offered to passengers if possible.

- 2.6** We expect that changing the line to light rail will deliver an overall increase in capacity for the line. This is because, although light rail trains are typically smaller than heavy rail carriages, they will be more frequent.
- 2.7** It may also be possible to procure longer operating hours (the current last trains are around 21.30 in the week and just after 22.00 on Sundays).
- 2.8** The anticipated improvements to service for the passenger as outlined above will be the focus for bids from potential operators. We do not therefore intend to specify in detail how those objectives are delivered. For example, whilst we will seek bids for an increased service using light rail, we will not specify a particular type of vehicle or other technical details.
- 2.9** The move to light rail will require us to close the line to the existing franchised rail services. Although we expect the existing rails and overhead power lines to be used by the new service, we expect this to be a permanent change.

Passenger experience

- 2.10** It is our aim that the changes proposed above are an improvement for passengers. These proposals are not a reflection on the quality of service provided by the incumbent franchisee, which has been very good, but rather recognition of the constraints of heavy rail operation to further expansion.
- 2.11** Although the trams may be smaller than the existing rolling stock, they will be considerably more frequent. Passengers will still be able to purchase through tickets between the main line rail network and the Abbey Line. Ticket vending facilities will be determined by the operator, but they will be available on the tram or at the station.
- 2.12** The facilities at the stations on the Abbey Line will be maintained at their current levels. St Albans Abbey Station has received considerable attention over the last few years and it now has upgraded shelters, cycle storage and car parking.
- 2.13** Fares are currently regulated under the national fares regulation regimes. This means that the regulated fares will change by the Retail Prices Index + 1% next year. Any future regulation of fares on the Abbey Line would be the responsibility of HCC.

Local control

- 2.14** Currently, the Abbey Line is operated as a part of the larger London Midland Franchise which was let by DfT. We intend to remove this service from London Midland's Service Level Commitment in their franchise agreement.

- 2.15** If the line becomes a light rail operation then it would be a local transport facility, and we therefore propose to transfer the responsibility for it to HCC.
- 2.16** It is envisaged that DfT will transfer the savings it makes from removing the service from London Midland to HCC. HCC would then use this funding to manage the contract for the operation of the line.
- 2.17** In order for the operation of the Abbey Line to transfer from London Midland to HCC, we need to carry out the following steps:
- 1** Remove the existing Watford Junction - St Albans Abbey service from London Midland's Service Level Commitment in their franchise agreement.
 - 2** Draft a Statutory Instrument to be laid before Parliament. We propose to take the same approach for the Abbey Line as for the Docklands Light Railway or Manchester Metro to exempt the railway from certain licensing and access requirements and to disapply closure provisions so that the line can be converted. The SI will therefore do a number of things:
 - it will grant the Abbey Line an exemption from designation under section 24 of the Railways Act 1993. This allows services on the Abbey Line to no longer be provided under a franchise agreement;
 - it will grant an exemption to the operator of the line from licensing requirements. This is being done as the line will no longer be part of the main line and the vehicles will not be subject to the same requirements as heavy rail vehicles;
 - it will grant an exemption for the line to provisions under the Railways Act 1993 which would allow access to the facility by other operators. Due to the length of the line and frequency of the services proposed it is not appropriate for other users to share the facilities;
 - it will grant an exemption from the statutory closure process under section 38 of the Railways Act 2005. This is necessary because statute requires that a route ceasing to be part of a franchise, as is proposed here, would ordinarily have to be "closed". This is so even when the franchise service is to be replaced with another enhanced service. A similar process took place when the former Silverlink routes transferred to London Overground;
 - it will grant an exemption from other statutory closure processes, as this line will no longer run main line services. It also introduces an alternative closure regime to protect the interests of the public, in the event that proposals to close the line are suggested in the future, by requiring a consultation to take place.
 - A draft SI is attached at Annex B.
 - 3** HCC may, if it considers it necessary or expedient, make an application to the Secretary of State for an order under the Transport and Works Act

1992 ('TWA order') to transfer all statutory responsibilities in relation to the Abbey Line from Network Rail to HCC. This would enable Network Rail to lease the infrastructure to HCC, although Network Rail would ultimately retain ownership of it. If such an application were approved then HCC would sub-let that infrastructure to the operator, who would take on most maintenance obligations, the installation of a passing loop and any other infrastructure requirements on behalf of HCC. If HCC put an application to the Secretary of State, the Secretary of State would consider the application on its merits at the time it is received. Nothing in this document prejudices his decision in relation to that order. If HCC choose not to make an Order, or the application is refused, it is expected that HCC will seek another way to manage their relationship with Network Rail.

Potential for future developments

- 2.18** The scope of what we are proposing for the Abbey Line in this consultation is fixed. We are aiming to replace the existing heavy rail service with a more frequent light rail service, but not to extend the route.
- 2.19** However, it should be noted that it may be possible to extend the new service in the future, either in terms of frequency or by extending the route itself such as through on-street running. This would, of course, be subject to feasibility and any necessary funding being found.

Proposed process and timescale

- 2.20** We are presently consulting with the general public and potential suppliers about our plans for the Abbey Line, so the proposals as they stand may be subject to change in the light of feedback from these consultations.
- 2.21** Depending on the outcome of the consultation, we hope to finalise a specification for the new service which would be put to the market in 2010. Bids from prospective operators would be evaluated during the Spring and, assuming that a satisfactory bid is received, contracts would be signed later in the same year.
- 2.22** We anticipate that as part of the bidding process, potential operators will set out more detailed timescales for procuring new rolling stock and carrying out the infrastructure works necessary to enable the new service on the Abbey Line to commence. However, we expect the new operation to start around late 2011.

3. Consultation questions

- 3.1** You are invited to comment on the proposals set out in this document and in particular you are invited to comment on the following questions:
- 1** Do you think that the proposals for a light rail service is a sensible way to provide a higher frequency service on the Abbey Line?
 - 2** Do you have any comments on the approach outlined above to exempt the Abbey line from various licensing conditions?
 - 3** Are there any issues you feel we need to consider and which have not been mentioned in this document?
- 3.2** Please send your response to DfT by 31 March 2010. Chapter 5 sets out how you can respond.
- 3.3** Please indicate whether you are a current user of the Abbey Line when responding to this consultation.

What will happen next

- 3.4** A summary of responses, including the next steps will be published on the DfT website at www.dft.gov.uk and paper copies will be available on request.

4. Frequently asked questions

4.1 Below is a list of frequently asked questions about these proposals.

Why are you doing this?

To get a more frequent service for passengers on the Abbey Line and attract new passengers.

Why not do it as part of the London Midland franchise?

London Midland has worked hard to deliver a good service on this line but the limit has been reached on providing more services with conventional heavy rail. This option provides passengers with the best and most cost-effective option.

Why would this operation be cheaper when there will be more services?

We are allowing potential operators to use light rail technology (trams) and we believe that this will allow them to run more efficiently. Trams are smaller and cheaper than the four car trains currently running and by using trams the proposed new passing loop where they would pass each other on the single line would be cheaper to construct.

Why use trams and not buses to replace this service?

Trams will give a more frequent service using the existing rail infrastructure – the rails, the stations, the overhead lines – with little modification.

To use buses on the route would mean ripping up all of that and replacing it with a road and then connecting that road to the rest of the local road network. The up front costs would be large, it would probably not provide any benefits to passengers over a tram service and the line could never again be used for rail.

What will the trams be like?

We expect to give potential operators a considerable amount of freedom with respect of the type of rail vehicle used on this line. We are not specifying a particular type of vehicle as we want potential operators to tell us what they can

provide to meet Hertfordshire County Council's requirements. It is likely that the trams will be similar to those running in many European cities currently.

Will I have to stand?

There will be seats on the tram – but inevitably fewer than on a four carriage main line train. At peak time some people may have to stand. However, the maximum journey time on the line is only 16 minutes and most passengers are on for much less than this. In addition, the increased frequency of the service will partially balance a loss of seats per departure.

What about access for people with disabilities and priority seating?

Access will be an important consideration for the operator of this service. We aim to improve on the existing arrangements which already have access for wheelchair users and priority seating.

Will there be lots of disruption in the construction?

There will inevitably be some short-term disruption associated with the change. However, most of the track and stations will not be significantly changed and whilst there may be closures for short periods, we believe the disruption will be relatively small compared with the benefits of a much improved timetable. The construction will be the responsibility of the new operator and the sponsors of this project will ensure that they understand the importance of minimising disruption.

When will this happen?

We will carry out consultation over the next few months followed by procurement during 2010 with the service currently anticipated to start towards the end of 2011.

Isn't this just a way of getting out of spending money to upgrade the line properly for proper trains?

This is about delivering more frequent services for passengers in the most cost effective way.

Will I be able to buy a through ticket to other destinations off the line? (eg London or Glasgow)

The intention is that they will continue to be available.

Will there be conductors?

This is a decision for the operator.

Why are you proposing to transfer responsibility for the line to Hertfordshire?

The line will be a local transport facility and therefore would best be managed locally and not from Westminster.

Who is paying for all of this and how?

This change from trains to trams will enable savings to be made. The Department for Transport will make funding for these trams available from these savings.

Is the tram option a specific solution for this line or part of a wider Government plan to cut rail services on smaller lines?

There are no wider plans to change services on smaller lines. We believe that a tram is the best way to increase service frequency on this particular stretch of line. The Abbey Line is a unique line where it is possible to simply replace the heavy rail service with a more frequent tram service. Having said this, there is no reason why any useful lessons learnt could not be applied elsewhere.

Where will the maintenance shed go?

Decisions about what maintenance facilities will be needed and the best location will be a matter for the operator.

Will this mean overnight noise?

Maintenance will be the responsibility of the operator. We expect them to behave as good neighbours to local residents.

Will there be a later service on the tram?

This is to be confirmed and subject to affordability but it is recognised that the current service finishes relatively early.

Will the investments that London Midland have committed to continue? (e.g. Customer information system, new Help Points, new shelter) what about the investments they have already made (e.g. ticket vending machine at St Albans)

London Midland is continuing with their programme of investment under their franchise agreement. Which investments will transfer to the new operator will be determined nearer the time of transfer.

Could the line be converted back to heavy rail?

Yes, but the expectation is that this will be a permanent arrangement as there would be costs involved with reversing any change.

What about the existing staff?

London Midland will be keeping their staff fully informed of developments

Will these changes allow through running on to the main line at Watford Junction?

We do not expect through running to be possible. There have been no direct trains to London from this line for many years and there is no chance of them restarting as there is no capacity on the line from Watford Junction to London.

Are there any plans for additional platforms at Watford Junction or St Albans Abbey to facilitate more journeys?

The aim is to increase the frequency of the service and make it more attractive. It would be for the operator to decide whether extra platforms are needed to achieve this – but it is not obvious how additional platforms would facilitate more journeys.

Will new stops be considered, e.g. Asda / Sainsburys Garston, Sopwell St Albans and the BRE in Bricket Wood?

New stations are not part of the initial proposal. However, if there were to be local support and funding available, it would be much easier to install new stops in the future with a tramway, albeit that this line already has a lot of stops for its length.

Has this been agreed with Network Rail and London Midland?

Both parties are aware of these plans and are cooperating in getting appropriate agreements in place.

I understand the line will be on long lease from Network Rail to HCC. Does this mean that the existing protections afforded to heavy rail lines would still apply?

All parties are committed to ongoing long term operation of this line. We have proposed that alternative statutory closure provisions should apply, ensuring that consultation would still need to take place before the line could be closed.

I understand we are using the term 'trams' and not 'tram-trains'. Is this correct? Does this scheme bear any relation to the tram-train project in Sheffield?

It is proposed that trams are used on the Abbey Line, although the precise type of vehicle will be for the operator to propose. This is because there is no requirement to operate with heavy rail vehicles on the line, which will be separated from the main line and therefore trams are suitable. Learning from the hard work in

Yorkshire will be of some use on this project, however the Yorkshire schemes are more complex and rather different as they are either diesel tram trains running with other heavy rail services or involve electrification of freight lines and running between existing heavy and light rail systems.

The use of second-hand trams from Europe is inferred in the DfT press release. Does this mean you intend to buy second-hand or rather adopt an existing design?

This will be for the operator to decide – however, the economics will probably mean re-use of existing trams.

How many trams will you need to operate the service?

Again this is up to the operator and will depend on frequency, the size of the tram and assumptions about requirements for maintenance and growth in patronage.

Will the trams run off the existing overhead AC electric supply?

Once again, this will be a decision for the operator. It would be possible to have transformers fitted to existing trams to run from the current system (some tram-trains do this and obviously lots of dual voltage electric multiple unit trains do it too) or the operator could decide that the best way forward is to convert the overhead.

Will platforms have to be lowered or lengthened?

This depends on the vehicle, but initial thoughts are that there should not be a need to have major changes. The platform at Bricket Wood may be extended so that a loop could be installed in the same way as the new Penryn Loop in Cornwall (this design would avoid having two platforms and the issues associated with passengers crossing the track).

Will there be a passing loop (or two)?

We anticipate that there will need to be a loop – the number and location will depend on the frequency of the service. Assuming 30 minutes, one loop would be required – almost certainly at Bricket Wood.

Will signalling be ‘line of sight’?

Subject to the views of the operator, signalling will be ‘line of sight’ with rigorous control on the occupation of the single line sections, in a similar way to other modern tram networks.

What other expected infrastructure works are there? Will the line be closed or kept open for the duration of these works?

There does not appear to be a need to have major construction works (other than one or more loops and potentially a small maintenance facility). There may need to be a service suspension for some of the works to ensure they can be done safely and efficiently. However, this is not expected to be a protracted process.

Do you envisage a wider network, e.g. extensions through Watford/St Albans or to Hatfield?

This is not included in the proposal we are taking forward at present. However, obviously this is a longer term possibility if there is a local demand and suitable funding can be found.

5. How to respond

- 5.1** The consultation period began on 4 January 2010 and will run until 31 March 2010. Please ensure that your response reaches us by that date. If you would like further copies of this consultation document it can be found at www.dft.gov.uk/consultations.

Please send consultation responses to
Abbey Line Consultation
Department for Transport
4/27
Great Minster House
76 Marsham Street
London SW1P 4DR
E mail: abbeyline.consultation@dft.gsi.gov.uk

- 5.2** When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation please make it clear who the organisation represents, and where applicable, how the views of members were assembled.
- 5.3** Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.
- 5.4** All responses will be shared with Hertfordshire County Council.
- 5.5** If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
- 5.6** In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in

all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on DfT or HCC.

- 5.7** DfT and HCC will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

6. The consultation criteria

- 6.1** The consultation is being conducted in line with the Code of Practice on Consultation. The Code criteria are summarised below and a full version of the Code of Practice on Consultation is available on the Better Regulation Executive web-site at:

<http://www.berr.gov.uk/files/file47158.pdf>

- 6.2** If you consider that this consultation does not comply with the criteria or have comments about the consultation process please contact:

Lec Napal
Consultation Coordinator
Department for Transport
Zone 1/33
Great Minster House
London SW1P 4DR
Email address consultation@dft.gsi.gov.uk

The seven consultation criteria

- 1** When to consult: Formal consultation should take place at a stage when there is scope to influence the policy outcome.
- 2** Duration of consultation exercises: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
- 3** Clarity of scope and impact: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
- 4** Accessibility of consultation exercises: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
- 5** The burden of consultation: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

- 6 Responsiveness of consultation exercises: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
- 7 Capacity to consult: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Annex A: Background

History

- A.1** The Abbey Line was the first railway to St Albans and opened in 1858. The line developed carrying both passengers and freight. Although the line was built as a single track railway, a passing loop was provided at Bricket Wood between 1913 and 1966. When this was taken out again it placed a constraint on the service that still exists today.
- A.2** The St Albans terminal was also used by trains from Hatfield between 1866 and 1964. Much of the track bed to Hatfield is now used as a footpath and cycleway.
- A.3** The line originally served what was a primarily rural area but the nature of the route has changed over time with much housing development along the route – although some parts are still quite rural.
- A.4** A number of additional stations have been added over the years and there are now five¹ intermediate stations on a line of 6½ miles length. The line was electrified in the late 1980s.
- A.5** A Community Rail Partnership was established for the line and in 2005 the line was officially designated as a Community Rail Line. The Partnership, which includes the local authorities, London Midland, and the very active and supportive user group Abfly, has done much to promote use of the line and upgrade the previously very basic facilities at the stations on the line.

Previous attempts to improve the service

- A.6** Work has been carried out to see whether a more frequent service could be provided using conventional heavy rail technology. This revealed that the costs of upgrading the infrastructure – and especially the cost of providing a passing loop at Bricket Wood² – would be very high (several million pounds). Bidders for West Midlands Franchise were also asked to provide a

1 Watford North, Garston, Bricket Wood, How Wood and Park Street

2 The line is currently single track so the train uses the same track in both directions. A passing loop is effectively a short section of parallel track which allows trains to pass each other when travelling in opposite directions. Whilst the loop itself has a modest cost, the signalling control system required to ensure that two trains do not meet on the single track section is much more expensive.

price for providing a more frequent service assuming that a passing loop could be provided. These bids indicated that the operational costs of the extra trains could not be justified even if the loop could be justified.

- A.7** In addition to looking at providing a more frequent service using two trains and a passing place, the option of running one train more frequently was examined. If the train could be speeded up to allow an end to end journey of around 12 minutes, it may be possible to provide a half hourly service with one train. However, modelling and tests of the actual running times showed that this was not viable and a single train could not provide this frequency of service.

Annex B: Draft Statutory Instrument

STATUTORY INSTRUMENTS

2010 No.

TRANSPORT

The St Albans Abbey Line Exemptions Order 2010

<i>Made</i>	- - - -	<i>xx 2010</i>
<i>Laid before Parliament</i>		<i>xx 2010</i>
<i>Coming into force</i>	- -	<i>xx 2010</i>

The Secretary of State makes the following order in exercise of the powers conferred by sections 7(1), (2) and (9), 20(1), (2) and (8), 24 (1) and (2), 143(4) and 151(5) of the Railways Act 1993, and sections 25(7) and 38 (1) of the Railways Act 2005.

The Secretary of State has consulted with the ORR pursuant to section 7(1) and 20(1) of the Railways Act 1993.

Citation and commencement

1. This Order may be cited as the St Albans Abbey Line Exemptions Order 2010 and shall come into force on xxx 2010.

Interpretation

2. In this Order—

“the 1993 Act” means the Railways Act 1993;

“the 2005 Act” means the Railways Act 2005;

“the Abbey Line network” means the six and a half miles of network incorporating railway lines which run exclusively along the route between Watford Junction station and St Albans Abbey station in Hertfordshire, which is used for the support, guidance and operation of trains serving exclusively that route;

“specified light maintenance depot” means the light maintenance depot located at [XXX];

“specified station” means any of the stations, or that part of any station, listed in Schedule 1.

Licence exemption

3.—(1) Exemption from section 6 (Prohibition on unauthorised operators of railway assets) of the 1993 Act is granted to any person who acts as the operator of the railway assets described in paragraph (2).

(2) The railway assets to which this article applies are—

- (a) the Abbey Line network,
- (b) any installations associated with any of the track comprised in the Abbey Line network,
- (c) the specified stations, and
- (d) the specified light maintenance depot.

(3) The exemption granted in this article may be revoked by agreement in writing between the Secretary of State and the operator of the Abbey Line network.

Facility exemption

4.—(1) Exemption from section 17 (Access agreements: directions requiring facility owners to enter into contracts for the use of their railway facilities), section 18 (Access agreements: contracts requiring the approval of the Office of Rail Regulation) and section 22A (Directions to require amendment permitting more extensive use) of the 1993 Act is granted to any person who is a facility owner by reference to any of the following railway facilities, or any part of the following railway facilities, namely—

- (a) the track comprised in the Abbey Line network;
- (b) the specified stations;
- (c) the specified light maintenance depot.

(2) The exemption in paragraph (1) may be revoked by agreement in writing between the Secretary of State and each relevant facility owner by reference to that railway facility or that part.

Franchise exemption

5.—(1) Exemption from designation under section 23(1) of the 1993 Act (Passenger services to be subject to franchise agreements) is granted to any person who provides a railway passenger service on the Abbey Line network.

(2) The exemption granted in this article may be revoked by agreement in writing between the Secretary of State and the person providing that service.

Disapplication of closure provisions

6.—(1) Every railway passenger service provided wholly on the Abbey Line network is a service in relation to which section 22 of the 2005 Act (Proposal by service operator to discontinue non-franchised services) is not to have effect.

(2) Every railway passenger service provided wholly on the Abbey Line network is a service in relation to which section 23 of the 2005 Act (Proposal by funding authority to discontinue non-franchised services) is not to have effect.

(3) Every railway passenger service provided wholly on the Abbey Line network is a service in relation to which section 24 of the 2005 Act (Proposals to discontinue franchised or secured services) is not to have effect.

(4) The Abbey Line network is a network in relation to which section 26 of the 2005 Act (Proposal by operator to close passenger network) is not to have effect.

(5) The Abbey Line network is a network in relation to which section 27 of the 2005 Act (Proposal by funding authority to close passenger network) is not to have effect.

(6) Every station which is associated with the Abbey Line network, except Watford Junction station, is a station in relation to which section 29 (Proposal by the operator to close station) is not to have effect.

(7) Every station which is associated with the Abbey Line network, except Watford Junction station, is a station in relation to which section 30 (Proposal by the funding authority to close station) is not to have effect.

Alternative Closure procedure

7. Every railway passenger service provided on the Abbey Line network shall be a special procedure service for the purposes of section 25 of the 2005 Act.

SCHEDULE

1. St Albans Abbey
2. Park Street
3. How Wood
4. Bricket Wood
5. Garston (Hertfordshire)
6. Watford North
7. Watford Junction (Platform 11 only)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order relates to the St Albans Abbey Line railway network (“the Abbey Line network”).

It provides for the grant of exemptions from the licensing, access, franchising and closure provisions of the Railways Act 1993 (“the 1993 Act”) and the Railways Act 2005 (“the 2005 Act”).

Article 3 grants an exemption from the requirement to hold a licence to any operator of the Abbey Line network.

Article 4 grants an exemption from sections 17, 18 and 22A of the 1993 Act, which relate to access to the railway facilities, for any person who is the facility owner of the track comprised in the Abbey Line network, the specified stations and the specified light maintenance depot.

Article 5 grants an exemption from section 23(1) of the Act in respect of all services on the Abbey Line network, which means that they shall not be franchised services.

The exemptions in articles 3, 4 and 5 can be revoked by agreement between the Secretary of State and the person having the benefit of the exemption.

Article 6 provides that section 22 (Proposal by service operator to discontinue non-franchised services), section 23 (Proposal by funding authority to discontinue non-franchised services), section 24 (Proposals to discontinue franchised or secured services), section 26 (Proposal by operator to close passenger network), section 27 (Proposal by funding authority to close passenger network), section 29 (Proposal by the operator to close station) and section 29 (Proposal by the funding authority to close station) of the 2005 Act are not to have effect. This means that the usual closure procedures shall not apply to the Abbey Line network.

Article 7 designates the network as a special procedure service for the purposes of section 25 of the 2005 Act, which means that an alternative closure procedure will apply.

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