

Transport Committee

Railways Bill

Eighth Report of Session 2024–26

HC 1472

Transport Committee

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Summary

A Bill to establish Great British Railways was introduced to Parliament in November 2025. We have examined the Railways Bill at pace to help inform parliamentary scrutiny of its provisions. We recognise the need for structural change on the railways. We support the introduction of a single organisation to oversee track and train, and capable of acting as a ‘directing mind’ for the railway.

Understandably, and as with previous railways legislation, the Bill gives a partial picture of the framework for a new regime under Great British Railways. The Bill is designed to last a long time and is accompanied by various additional documentation. We ask the Government to publish a comprehensive list, with target dates, of decisions, key documents and planned consultations leading up to the establishment of the new organisation and in its first year of operation. We urge the Government to publish at least an initial draft of GBR’s licence before the Bill’s Report Stage so that the draft can be subject to scrutiny by the House of Commons.

Overall accountability and ultimate authority sit with the Secretary of State for Transport, who sets the strategic direction. There is a potential tension between the centrality of the role of the Secretary of State in the new system and the Government’s expectation that GBR will be a responsible arm’s-length body. The Government’s intention that the Secretary of State’s power of direction over GBR be used sparingly could be reflected in the legislation. To ensure that the Long Term Rail Strategy is not changed unnecessarily, we recommend that the Strategy and future amended versions be laid before Parliament.

The Secretary of State should also publish statutory guidance on how GBR should weigh up potentially competing elements of the duties placed upon it by clause 18 of the Bill. It is not clear from the Bill how GBR’s performance against the passenger interest duty will be assessed; we recommend that the standards drawn up by the Passengers’ Council should be formally taken into account when doing so.

Increasing passenger journeys will help to achieve the Government’s aims to support growth and decarbonisation, and is fundamental to the purpose of GBR. We recommend that the Bill place the Secretary of State under a duty to set a passenger growth target.

The Passengers' Council is intended to be a powerful watchdog on behalf of rail users, but it will be reliant on the Office of Rail and Road to take enforcement action. This could add complexity and delay to an already complicated system. We recommend that the ORR be required to take action on referrals from the Council (with very limited exceptions). The independence of the Council will be crucial, and we ask that its Chair be subject to a pre-appointment hearing by our Committee.

The specific inclusion of the needs of disabled users of the railway in the duties applying to GBR and the Passengers' Council is welcome, but the objective of greater accessibility would be better supported if these duties were to require improvement. The Bill should be amended to require that at least two members of the Passengers' Council have lived experience of travelling as a disabled person. The Government should also clarify the relationship between the new duties in this Bill and existing duties under the Equality Act 2010.

The Government intends to promote greater use of the railway for freight. There is a risk that the appeal mechanism for open access decisions jeopardises this aim by being overly narrow. We recommend that freight operators be given the ability to appeal access decisions on additional grounds that reflect the outcomes the Government is seeking.

Mechanisms in the Bill comprising the new statutory role for Mayoral Strategic Authorities could risk being too subject to goodwill. MSAs should be statutory consultees on the Long Term Rail Strategy, and GBR should be required to give weight to their Local Transport Plans. It is essential that all areas of England, regardless of whether they are part of an MSA, should be able to engage effectively with GBR and hold it to account for its local or regional performance. The Government should investigate a role for MSAs and other LTAs on bodies reflecting GBR's planned regional business units.

1 The Railways Bill

1. The Government presented the Railways Bill to Parliament on 5 November 2025.¹ The Bill seeks to introduce the most far-reaching changes to the structure of the railway since privatisation, bringing most passenger train operations and the responsibilities of Network Rail for track and other infrastructure together under a new body, Great British Railways (GBR). This is a long-awaited reform: a ‘guiding mind’ body also called Great British Railways was also proposed in the Williams-Shapps Plan for Rail in 2021 and it was the central plank of a draft Rail Reform Bill published by the previous Government in 2024. The context has changed, however, with the current Government’s policy of bringing most passenger train operating companies into public ownership.
2. The Bill’s main purpose is to designate a body corporate as Great British Railways and define its functions. This body is intended to act as a unified ‘directing mind’ for the railways. (While the Williams-Shapps Plan and the previous Government used the term ‘guiding mind’, the present Government has generally—though not exclusively—favoured ‘directing mind’.) The Secretary of State, Rt Hon Heidi Alexander MP, has said that the Bill

will sweep away the fragmentation and dysfunction that have plagued the railway for too long, and will bring the 17 organisations involved in running the railway together into one public body [...] GBR will co-ordinate much of the network, including track, train, and revenue and cost.²

The Rail Minister, Lord Hendy of Richmond Hill, described the new body as: “a commercially agile public body, given responsibility over the entire railway to make economies of scale, joining track and train for an integrated railway, but with devolved and responsible management.”³

3.

CONCLUSION

We recognise the need for structural change on the railways. We support the main purpose of the Railways Bill: to establish Great British Railways as a single organisation overseeing both track and train, and capable of acting as a ‘directing mind’ for the railway.

1 [Railways Bill \[as introduced\]](#), Bill 325 2024–26. References throughout this Report are to this version of the Bill.

2 HC Deb, 9 December 2025, [col 205](#)

3 [Q248](#)

4. The legislation is just one piece of a large and complex puzzle to prepare railways to be managed under GBR. Ben Plowden of the Campaign for Better Transport estimated that the Bill accounted for only around 30 per cent of the processes and documents that would need to be in place to make GBR an effective organisation.⁴ Key policies, processes and decisions are awaited, and the timetable on which they will emerge is unknown or imprecise. Unpublished documents include the Long Term Rail Strategy (see also Chapter 3, paragraph 22), the rolling stock strategy, the Access and Use Policy, GBR's licence, GBR's first business plan, passenger standards, the Infrastructure Capacity Plan, the charging scheme, the performance scheme, the Code of Practice for ticket retail, Memorandums of Understanding with Ministers in Scotland and in Wales, and guidance on partnerships with mayoral combined authorities. Some of these will be required by the Bill, and a few have been published in draft or for further discussion.⁵
5. The National Union of Rail, Maritime and Transport Workers noted that the Bill was silent on staff and the organisational structure of GBR. They asked for clarity about who would be the employer, how pension schemes would operate, and how staff would be moved from one employer to another.⁶

6. **CONCLUSION**

Understandably, and as with previous railways legislation, the Railways Bill gives a partial picture of the framework for a new regime under Great British Railways. The Bill is designed to last a long time and is accompanied by various additional documentation. The unpublished documents are important not just for scrutiny, but for confidence throughout the industry. This inquiry has picked up on issues that may be addressed in future documentation, such as issues of accountability and enforcement, the independence of the Passengers' Council, and the potential truly to improve on rail accessibility, but this list cannot be treated as exhaustive—there may be other unintended consequences, conflicts or omissions that we are yet to be able to identify.

4 [Q71](#)

5 For example: Network Rail, [Access and Use Policy discussion document](#), December 2025; Heads of Terms for Memorandum of Understanding between Welsh Government and Department for Transport on Rail Reform, annexed to Letter to the Chair from the Cabinet Secretary for Transport and North Wales, Welsh Government, relating to the Railways Bill, [26 November 2025](#); Department for Transport, [English rail devolution applications](#), gov.uk, 12 December 2025.

6 National Union of Rail, Maritime and Transport Workers (RMT) ([RWB0046](#))

7.

RECOMMENDATION

Before the Bill reaches Report Stage in the House of Commons the Department for Transport should publish a comprehensive list, with target dates, of decisions, key documents and planned consultations leading up to the establishment of Great British Railways and in its first year of operation. This should include milestones for consultation and negotiation with the affected workforce.

2 Our scrutiny of the Bill

8. Given the significance of this legislation for the delivery of rail services over the coming decades, we considered it important for our Committee to scrutinise the Bill. As with other departmental select committees,⁷ we faced practical challenges in doing so. The Government's legislative timetables are limited, with little advance warning given.⁸ We also wanted to avoid duplicating the work of the Public Bill Committee established to consider the Bill clause by clause, while making the most of our continued existence beyond the Bill committee stage.

9. **CONCLUSION**

Departmental committees have an important contribution to make to scrutiny of legislation, being less adversarial and more specialist than Bill committees, and being able to continue scrutiny of the policy implementation long after the legislation is passed.

10. **RECOMMENDATION**

We urge the Government to consider how best to manage the timetabling of major legislation in the House of Commons to give a reasonable opportunity for relevant departmental select committees to conduct complementary scrutiny.

11. We launched a call for evidence on the Bill on the day it was presented, and held oral evidence sessions between November 2025 and January 2026. We heard in person from rail industry stakeholders, passenger representatives, regional authorities, the Scottish Government Cabinet Secretary for Transport Fiona Hyslop MSP, the Welsh Government's Director of Transport, and finally the Minister for Rail, The Lord Hendy of Richmond Hill, alongside Network Rail and Department for Transport officials.
12. We wanted to put our findings and views on the record at the earliest opportunity to assist our colleagues in the House of Commons, and later in the House of Lords, with their scrutiny of the Bill. This necessitated a more rapid inquiry than we would typically conduct, and a report in which we

7 See for example, Education Committee, Second Report of Session 2024–26, [Scrutiny of the Children's Wellbeing and Schools Bill](#), HC 732, paras 3–12

8 Letter from the Chair to the Leader of the House relating to the Rail Reform Bill, [28 October 2025](#); Letter to the Chair from the Leader of the House regarding passage and scrutiny of the Railways Bill, [11 November 2025](#)

have had to be selective about the issues we address. We are grateful to the many organisations and individuals who worked to an unusually short timescale to prepare expert evidence for us.

13. While we have not been able to comment directly on all the matters raised in that evidence, we consider it an invaluable resource for both Houses, and one we will return to in future as we examine the progress of rail reform in practice. Issues such as the culture of Great British Railways, fares and ticketing, GBR's relationship to the Government's ambitions for integrated transport, and working arrangements with the Scottish and Welsh Governments will be among those that will feature in this ongoing work.
14. We have considered the Bill in the light of the Government's policy intentions and concentrated our recommendations on where we have found a mismatch between those intentions and the effect of the Bill. Our inquiry focused on three main aspects of reform: the passenger experience (including the likely effect of governance and accountability arrangements on performance), network access, and devolution.

3 A better railway for passengers

15. Issues of governance and accountability emerged in our inquiry as central factors in whether Great British Railways would be adequately empowered and held accountable for improving rail services for passengers. In this Chapter we consider mechanisms for doing this: the powers of the Secretary of State, the Long Term Rail Strategy and the duties placed on the main actors in the new regime. We also consider the role of the Passengers' Council and the treatment of accessibility and equalities in the Bill.

Relationship between the Secretary of State and GBR

16. Overall accountability and ultimate authority sit with the Secretary of State for Transport who sets the strategic direction. The independence and expertise of Great British Railways as the railway's directing mind have been positioned by the Government as key to its ability to realise improvements for passengers. A common critique of the system currently in place is that the Department for Transport has exercised too much central control over relatively minor aspects of day-to-day railway operations. There is, however, a potential tension between the centrality of the Secretary of State's role and the Government's expectation that GBR will be genuinely arm's-length and responsible.
17. The Bill gives the Secretary of State extensive enforcement powers over GBR, chief among them a right to issue directions, backed up by the power to issue court proceedings, in clause 7. The Secretary of State's powers of direction sit at the top of a range of enforcement powers including both informal advice and formal guidance. John Larkinson, Chief Executive of the Office of Rail and Road, told us that the system was designed for the Secretary of State to take overall accountability.⁹
18. The power of direction as drafted is a wide-ranging one. Mr Larkinson told us that too many directions could prevent GBR being empowered to fulfil the "guiding mind" role.¹⁰ The Rail Freight Group was concerned that the power

9 [Q14](#)

10 [Q17](#)

of direction would allow the Secretary of State to frequently change course, leading to uncertainty for rail freight investors.¹¹ Rolling stock manufacturer Alstom told us the Secretary of State’s powers of direction required “strong safeguards” to prevent “political intervention from becoming routine” and “excessive ministerial involvement” in the day to day operations of GBR.¹² Nick Brooks of AllRail thought the power of direction could lead to unclear lines of accountability.¹³

19. Other stakeholders told us they understood that the power of direction would be used as a “course-correction” rather than to micromanage GBR’s work.¹⁴ Richard Goodman, Director General of Rail Reform and Strategy at the Department for Transport, told us that the “policy intent” was that the power of direction would be used “extremely sparingly”.¹⁵ Lucy Ryan, Director of Rail Transformation at the Department for Transport, said that the use of the power to direct would be at “the very end of the scale” of the suite of enforcement powers wielded by the Secretary of State.¹⁶

20. **CONCLUSION**

The Government intends that Great British Railways should be a responsible guiding mind: to achieve this, it requires independence and protection from political interference in its day-to-day operations. Clause 7 as currently drafted would permit a future Secretary of State, if so minded, to micromanage GBR through directions. The intention of the current Government that the power only be used sparingly could be reflected in the legislation.

21. **RECOMMENDATION**

We recommend that clause 7 of the Bill be amended to require that use of the power of direction must be necessary and proportionate. This would preserve the Secretary of State’s power of enforcement over GBR and ability to course-correct on strategic issues, but would prevent micromanagement of its operations.

The Long Term Rail Strategy

22. Clause 15 of the Bill requires the Government to prepare and publish a rail strategy, also known as the Long Term Rail Strategy (LTRS). The Government intends the strategy to set out long-term outcomes distinct from the

11 Rail Freight Group ([RWB0007](#))
12 Alstom UK & Ireland ([RWB0050](#))
13 [Q51](#)
14 [Q17](#); [Q148](#)
15 [Q260](#)
16 [Q257](#)

specific performance indicators or targets that will be in GBR’s five-year business plan.¹⁷ The Government has said that the LTRS “will help GBR make choices that will have a fundamental impact on British society for future generations”, and that it will provide clarity to industry and investors.¹⁸ The desirability of an overarching long-term vision for the railway was a theme of our inquiry into rail investment pipelines, and introduction of the Long Term Rail Strategy was widely welcomed by stakeholders in evidence to this inquiry.¹⁹

23. CONCLUSION

We welcome the Bill’s provision for a Long Term Rail Strategy. The more clarity that can be given to both the public and private sector about the long-term strategic aims for the railway, the greater the benefits will be in terms of efficiency, planning for rail infrastructure and clarity for the wider economy.

Content of the Strategy

24. The Bill is silent on the content of the LTRS, but in an accompanying factsheet the Government has stated that it will set out the following five strategic objectives for the railways over the next 30 years:

- meeting customers’ needs;
- financial sustainability;
- long-term economic growth;
- reducing regional and national inequality; and
- environmental sustainability.

The Strategy will also contain the Secretary of State’s “vision” for rail, and the long-term outcomes Government expects the railway to deliver to support its broader social, economic, and environmental policy ambitions, such as growing the economy and increasing housing. Further content is to be developed through engagement with stakeholders.²⁰ Witnesses to our inquiry cited the potential for the Strategy to, among other things, support

17 [Q258](#)

18 Department for Transport, [Railways Bill factsheet: the Long-Term Rail Strategy](#), gov.uk, 5 November 2025

19 WEST COAST RAIL 250 CAMPAIGN ([RWB0017](#)); Angel Trains ([RWB0038](#)); Midlands Connect ([RWB0048](#)); Alstom UK & Ireland ([RWB0050](#)); Transport UK ([RWB0055](#)); Rail Plant Association (RPA) ([RWB0027](#))

20 Department for Transport, [Railways Bill factsheet: the Long-Term Rail Strategy](#), gov.uk, 5 November 2025

infrastructure investments, improve accessibility, and set out definitions of best value and public interest.²¹ The Campaign for Better Transport wanted to see “clear milestones and binding targets.”²²

25. Lord Hendy, Minister for Rail, said:

You obviously cannot fetter the discretion of a future Government, but if the long-term strategy seeks to address some broad objectives about economic growth, jobs and housing—which you would assume future Governments would want, but might want to execute differently on a regional, local or city basis—then [the strategy] at least provides a broad framework that the industry can plan for.²³

26. **RECOMMENDATION**

More detail in the Bill on what the Long Term Rail Strategy must include would help to ensure the document is meaningful and useful, and that it gives a measure of clarity and certainty.

27. We have made further observations and recommendations about the content of the Long Term Rail Strategy in our report on rail investment pipelines.²⁴

Process for setting and changing the Strategy

28. When preparing, revising or replacing the Long Term Rail Strategy, the Secretary of State must consult the Welsh Ministers and the Passengers’ Council.²⁵ The Secretary of State’s power to revise or replace the Strategy is otherwise unfettered.²⁶ Witnesses acknowledged that there was inevitably a tension between setting a long-term vision and a democratically elected government being able to implement its own policy.²⁷ However, the Rail Plant Association expressed the views of a number of witnesses when it argued that the benefits of the LTRS would only transpire if it was “followed and able to withstand government changing it half-way through.”²⁸ The Minister commented that the discretion of future governments could not be fettered, but he hoped that:

21 [Q60](#) [Nick Brooks]; [Q56](#) [Maggie Simpson]; Rail Delivery Group ([RWB0052](#))

22 Campaign for Better Transport ([RWB0058](#))

23 [Q273](#)

24 Transport Committee, Seventh Report of Session 2024–26, Rail investment pipelines: ending boom and bust, HC 575

25 Clause 15(6)

26 Clause 15(4)(b)

27 For example, [Qq23–24](#)

28 Rail Plant Association (RPA) ([RWB0027](#))

future Secretaries of State coming into office would say, “Look, thank goodness I have a long-term rail strategy. Let me inspect it to see whether it suits the Government’s current objectives,” and if it does not, then ask, “What do I need to do to think about modifying it?”—that would be more reasonable. You would not rewrite the whole thing.²⁹

29. RECOMMENDATION

There is inevitably a tension between realising the value of a truly long-term strategy and recognising that governments must retain discretion and flexibility. It is essential that the Long Term Rail Strategy does not lose continuity and become in effect a series of short-term strategies. The Bill should be amended to require that the Strategy be laid before Parliament, and that, where the Secretary of State makes substantive changes, it be required to be laid again in its amended form.

Great British Railways’ licence

- 30.** Under the current regime, the independent regulator, the Office of Rail and Road (ORR), issues licences for the railway network. Schedule 1 of the Bill transfers that duty in respect of GBR (which will have a licence for both operating passenger services and managing infrastructure) to the Secretary of State. The Minister told us this was because the Government was “committed to reshaping the state, to ensure that those who are democratically accountable set the direction of travel, reducing the number of strategic decisions taken by regulators.”³⁰ The ORR will remain the enforcer of the licence.
- 31.** The Bill contains relatively little about what the licence will contain. We were told that it would be “streamlined” in comparison to those issued by the ORR. Lucy Ryan, Department of Transport, said the licence would address key issues such as “where the accountabilities sit” and that the Government expected it to include “things like requirements around industry processes, information requirements and minimum consumer standards, which the passenger watchdog will have a role in setting.”³¹ The licence will be subject to consultation.³²
- 32.** We pressed the Rail Minister about when this key document for the future shape of the railway would be published; DfT officials said this would happen “during passage of the Bill”.³³ In evidence to the Railways Bill

29 [Q274](#)

30 [Q279](#)

31 [Q281](#)

32 [Q281](#)

33 [Q254](#)

Committee later in January 2026, Parliamentary Under Secretary of State Keir Mather MP committed the Government to publishing the draft licence before the Bill left the House of Commons.³⁴ On 27 January, however, the Minister corrected the record and said that “My Department’s commitment has always been to publish the draft GBR licence during the Bill’s passage, rather than before the Bill leaves the Commons.” He stated that “engagement with stakeholders to inform the draft [...] will start before the Bill leaves the Commons.”³⁵

33.

CONCLUSION

We welcome the Government’s original commitment to publishing the draft GBR licence before the Bill leaves the House of Commons. We urge the Government to publish at least an initial draft of GBR’s licence before the Bill’s Report Stage so that the draft can be subject to scrutiny by the House of Commons.

Duties placed on GBR, ORR and the Secretary of State

Content and operation of the duties

34. Clause 18 imposes a set of identical duties on Great British Railways, the Secretary of State and the Office of Rail and Road, which must be considered and balanced when each exercise their respective functions.³⁶ John Larkinson of ORR told us that the effect is that his organisation’s duties have been “simplified”, “aligned”³⁷ and updated: “effectively what they really do is put [our] duties into plainer English.”³⁸ Mr Larkinson acknowledged that there was a danger of “groupthink” in aligning the statutory duties of three separate actors, but said in practice the duties covered all the areas that both ORR and GBR would be expected to consider. ORR’s Director of Policy, Strategy and Reform Stephanie Tobyn said that aligned duties would reduce friction and allow “everything to operate more smoothly.”³⁹
35. The duties include promoting the interests of users and potential users of railway passenger services. Clause 18 sets out that the duties must be balanced by the bodies “as seems to them appropriate in the circumstances”. A potential difficulty with the aligned duties is that the

34 Oral evidence taken by the Railways Bill Committee on 20 January 2026, Q180

35 Railways Bill Committee, 27 January 2026, [col 213](#)

36 ORR’s safety, licensing and competition functions are exempt.

37 [Q2](#)

38 [Q3](#)

39 [Q3](#)

Secretary of State, Great British Railways and ORR disagree over the weight to be given to duties in the balancing exercise. John Larkinson highlighted this problem to us when he said:

none of them sits above the other. Just as we have to decide what weight to give to our duties, GBR will need to decide what weight to give to its duties. [...] there is the question of how it all happens in practice, and there is a long way to go on that.⁴⁰

36. We asked our Government witnesses how they anticipated the weighting of duties would work. They told us that the Long Term Rail Strategy would contain some detail on how the duties would be discharged over the long term. In addition, the Government expected GBR's business plan to "capture specific performance indicators or targets that encapsulate the balancing of some of those".⁴¹ Lucy Ryan told us that it would be the responsibility of GBR and ORR to ensure their decision-making demonstrated consideration of their duties, which included showing that there was no hierarchy between them. She added: "duties cannot be sidelined or ignored, such as the duty on costs and efficiency."⁴² DfT Director General Richard Goodman, said "[t]o put it very prosaically, there is never unlimited money. GBR has to have a duty to look at the available funds. That will inevitably be a balancing factor in which other duties take primacy in a particular context."⁴³
37. We heard particular concerns about the weight that would be given to the duty to promote the interests of users, especially the needs of disabled persons. Transport for All argued it could be too easy for GBR to deprioritise accessibility in favour of competing goals, and the Chartered Institute of Logistics and Transport commented that "the needs of disabled passengers could easily be overlooked if they are viewed as affecting railway service performance (such as taking additional time to deploy a wheelchair ramp)".⁴⁴

38. **CONCLUSION**

There are benefits to unified duties but the Bill is insufficiently clear on how they will operate in decision-making, in particular the weighting to be assigned to each factor. The Office of Rail and Road will enforce GBR's business plan but is not bound by it. If the Government intends ORR to have regard to detail on how to balance duties that is contained in the business plan, it must put that detail into statutory guidance.

40 [Q3](#)

41 [Q258](#)

42 [Q261](#)

43 [Q258](#)

44 The Chartered Institute of Logistics and Transport (UK) ([RWB0041](#)); Transport for All ([RWB0029](#))

39.

RECOMMENDATION

As GBR is accountable to the Secretary of State for fulfilment of its duties, we recommend the Secretary of State issues and publishes statutory guidance on how GBR, at least, should weigh up competing elements of the duties. This will allow for consistency and transparency in decision-making. The guidance must make it clear that cost must be considered proportionately and not outweigh all other considerations.

Enforcement of the duties

40. The Bill requires the Office of Rail and Road to monitor GBR’s compliance with its statutory functions (clause 74). The Passengers’ Council has a duty to monitor GBR’s compliance with the standards it sets (clause 46). Enforcement of duties, statutory functions and the business plan is by the Secretary of State through guidance (clause 9), directions (clause 7) and court proceedings.⁴⁵ ORR separately enforces GBR’s compliance with its licence, which is issued by the Secretary of State.⁴⁶
41. Government witnesses told us that the intention behind the Bill was to create “a system that is clearer on where the accountabilities sit”.⁴⁷ The decision to make the Secretary of State responsible for enforcement of GBR’s business plan, while ORR continue to enforce the licence was because “a licence [...] is essentially a floor against which GBR must discharge a particular duty or face enforcement action”, whereas the business plan contains “the incentives and targets you want to put on the organisation to drive its future performance.” The decision to split enforcement was “a trade-off” but experience suggested that regulation was not, we were told, an effective way to maximise performance.⁴⁸ In the end, Government witnesses asserted, the Secretary of State and Government provided the funding so enforcement should sit with the executive as there was “a principal responsibility on them to make sure that the plan is executed.”⁴⁹

45 [Q257](#)

46 [Q281](#)

47 [Q281](#)

48 [Q282](#)

49 [Q283](#)

42. The specific inclusion of the needs of disabled persons in the general passenger duty in clause 18 was generally welcomed.⁵⁰ There was, however, significant concern about its effectiveness in practice. Transport for All told us:

The duty is vague, subjective and unenforceable. It does not guarantee improvements, define measurable outcomes, or create accountability for delivering meaningful accessibility change.⁵¹

The Equality and Human Rights Commission agreed that it was “unclear” how compliance with the passenger interest duty would be monitored and enforced.⁵² We have previously drawn attention to enforceability gaps in the already-substantial corpus of accessibility duties and legislation as a major reason why accessibility continues to be poor in practice.⁵³

43. **CONCLUSION**

It is not clear from the Bill how the Secretary of State, GBR and the ORR will be assessed on how they fulfil their clause 18 duties or how the duties will be enforced should they fall short. There is a danger that the Secretary of State’s interpretation of the duties may be overly dominant, which risks impairing the independence of ORR as a regulator.

44. **RECOMMENDATION**

We are concerned that there is no specific mechanism to assess GBR’s performance against the passenger interest duty placed on it by the Bill. The standards set by the Passengers’ Council will be part of GBR’s licence, enforced by the ORR. The Bill should also contain a mechanism for performance against the relevant standards to be taken into account by a court making a judgment on whether the duty to promote the interests of users in clause 18(2)a has been met.

45. Several witnesses drew our attention to the difference in the way passenger transport and freight are treated in the Bill.⁵⁴ Clause 18 places duties on GBR to both “promote the interests” of passengers and “promote the use of the railway network [...] for the carriage of goods”. While freight will be subject to specific growth target set by the Secretary of State, passenger travel will not.⁵⁵ Ben Plowden of the Campaign for Better Transport told us he was concerned that without the “strong” incentive of a passenger growth

50 [Q71](#)

51 Transport for All ([RWB0029](#)); [Q76](#); [Q96](#)

52 Equality and Human Rights Commission ([RWB0026](#))

53 Transport Committee, First Report of Session 2024–26, [Access denied: rights versus reality in disabled people’s access to transport](#), HC 770

54 Institution of Mechanical Engineers ([RWB0056](#)); Lumo and Hull Trains ([RWB0040](#)); Arriva UK Trains ([RWB0016](#))

55 Clause 17

target, there was a risk that “GBR might manage demand as a steady state, achieving its other objectives without necessarily seeking to grow demand by expanding the network or making better use of existing capacity.”⁵⁶

Arriva UK Trains rejected the Government’s argument in its consultation response that such a target could create adverse incentives, for example by jeopardising performance through congestion, saying that “GBR could cut passenger services to preserve performance under such logic”. They suggested a target could be kept under review in the same way the freight target would be.⁵⁷

46. We pressed the Minister on whether a passenger growth target would be a helpful addition to the Bill. Lord Hendy told us that while the freight target was a necessary incentive, the duties, the Long Term Rail Strategy and the business plan combined would be “a more than sufficient guarantee that growing passenger numbers, improving reliability—which will itself improve performance—and reducing costs are all to be balanced together.”⁵⁸ He said that a statutory provision was not necessary for “the people who run GBR to know what their job is”, and he would be “astonished” if the Long Term Rail Strategy did not contain a passenger growth target.⁵⁹

47.

RECOMMENDATION

The Bill should be amended to include a duty on the Secretary of State to set a passenger journey growth target similar to the duty to set a freight growth target in clause 17. A target would incentivise commercially-minded improvements to services. This must not come at the expense of freight, which should be reflected in the Bill. Increasing passenger journeys will help achieve the Government’s aims to support growth and decarbonisation through connectivity and modal shift. It is also fundamental to the purpose of GBR—so seems an odd omission from the legislation.

The role of the Passengers’ Council

48. The Bill creates a new Passengers’ Council (commonly referred to by the Government as the Passenger Watchdog) which will be formed from the current transport user watchdog, Transport Focus.⁶⁰ The Secretary of State has described this as “a strong, independent voice for the customer. It will set tough standards, independently monitor the experience of passengers, investigate persistent issues, and relentlessly push for a more accessible

56 [Q72](#)

57 Arriva UK Trains ([RWB0016](#))

58 [Q268](#)

59 [Q270](#)

60 Department for Transport, [Railways Bill factsheet: the passenger watchdog](#), 5 November 2025

railway.”⁶¹ When exercising its functions, clause 36 states that the Passengers’ Council must “have particular regard to the interests and needs of disabled people” and “must take into account any costs that will need to be met from public funds, and the need to make efficient use of those funds.”

Standards

49. The Bill in clause 46 gives the Passengers’ Council a power to set standards, which will become part of GBR’s licence. These may include standards on passenger information, compensation, complaints and accessibility, but this list is not intended to be exhaustive.⁶² The Council will be required to monitor operators’ performance against these standards⁶³ and impose improvement plans where they fall short.⁶⁴ The Secretary of State and the ORR must consent to any standards.⁶⁵ The Department has stated that this is to ensure the standards are “viable—meaning, for example, that they don’t come with prohibitive costs”.⁶⁶

50. **RECOMMENDATION**

Standards set by the Passengers’ Council will be a crucial tool in improving the passenger experience of the railways. The Government clearly intends the Council to set such standards, so it is odd that the Bill only confers on it the power to do so rather than requiring this to happen; the Bill should be amended to this effect. The Government’s intention that the Council be able to set standards in areas other than passenger information, compensation, complaints and accessibility should be reflected more clearly in the legislation. The Bill should explicitly state that the Passengers’ Council has discretion to set standards on any other matters it deems necessary for the fulfilment of its statutory duties.

Enforcement

51. The Passengers’ Council does not have enforcement powers of its own: ORR will enforce standards as part of the licence,⁶⁷ and may act on a referral from the Passengers’ Council on other issues.⁶⁸ Accessibility organisations

61 HC Deb, 9 December 2025, [col 209](#)

62 [Q296](#)

63 Clause 37(1)

64 Clause 37(2)

65 Clause 46(5)

66 Department for Transport, [Railways Bill factsheet: the passenger watchdog](#), 5 November 2025

67 Schedule 3, para.39(3)

68 Clause 42(3)

were particularly concerned that the reliance on ORR's discretion to enforce the outcome of investigations would fundamentally undermine the role intended for the Council. Transport for All told us that: "[a] watchdog without enforcement powers is fundamentally limited in its capacity to protect passengers' rights or drive accessibility improvements." The organisation elaborated:

Disabled passengers already face disproportionate obstacles when raising complaints, and this indirect model appears to add another layer of bureaucracy without increasing accountability. We worry that it will create further delays, weaken enforcement, confuse passengers, and result in inconsistent redress.⁶⁹

- 52.** The charity Whizz Kidz, which advocates for young wheelchair users, stated in its written evidence:

The Passengers' Council must be given adequate powers for its role. For example, should the group identify a significant issue and suggest an improvement, what power will there be to ensure changes happen? What redress will be given if no change is made? Without the addition of a mechanism for enforcement and consequences for failure to make improvements, monitoring performance and advocating for improvements will likely not be enough to improve services for disabled passengers.⁷⁰

- 53.** Alex Campbell, Transport Focus' Director of Insight and Policy, told us of a potential pitfall when he noted that there was a danger ORR would feel it had to do a separate investigation before taking action.⁷¹ Ben Plowden, of the Campaign for Better Transport, thought this a weakness in the system:

my assumption is that the process would be that the passenger watchdog would hand over a whole set of documentation to the ORR and say, "We are not satisfied with the response that GBR has given us, or what it has done in response to our concerns, which we have sought to negotiate with it. Can you please enforce against our findings of inadequacy?" That introduces a new process into the system, and the question is: will that be effective and efficient? If not, should the passenger watchdog be given some enforcement powers as well?⁷²

69 Transport for All ([RWB0029](#))

70 Whizz Kidz ([RWB0013](#))

71 [Q136](#)

72 [Q87](#)

Alex Campbell said he was concerned that having two different bodies enforce the licence had the potential to create uncertainty for regulators and the regulated. He also told us that enforcement required a different set of regulatory and legal skills than those currently employed by Transport Focus.⁷³

54. CONCLUSION

The reliance of the Passengers' Council on the Office of Rail and Road to take enforcement action could add complexity and delay to an already complicated system for complaints, enforcement and remedies, and we are concerned that an opportunity to streamline these elements of the railway could be missed.

55. RECOMMENDATION

The Passengers' Council will be required by the Bill to protect passengers' rights through monitoring operators' compliance with its standards and receiving, considering and investigating complaints. It must be trusted to carry out that role. We consider it unlikely in the extreme that the Council would find a frivolous matter worthy of referral to ORR for enforcement. The Bill should therefore be amended to require ORR to take action from the range of enforcement actions open to them, unless there is a legal impediment to doing so or the issue has been satisfactorily remedied, within a limited timeframe following a referral of an issue by the Passengers' Council.

Independence

- 56.** The Government has said it intends the Passengers' Council to be a strong voice for the passenger experience. The Bill seeks to achieve this aim not only through the Passengers' Council role in complaint handling and standard setting but by making the Passengers' Council a statutory consultee for most of the key documents in the legislation, and for any GBR policies affecting users of rail services.⁷⁴ Witnesses from Transport Focus told us independence would be vital to the Passengers' Council satisfying the role envisaged for it by the Bill and that the Department of Transport had given assurances in this regard. Alex Robertson reflected that, in GBR, the Government was creating "a single, very large organisation that will be a very powerful force in the rail sector. We must have independent, well-resourced organisations to challenge it."⁷⁵ We heard strong support for the need for the Council to be independent from both the Secretary

73 [Q139](#)

74 [Clause 49\(1\)](#)

75 [Q135](#)

of State and GBR. Ben Plowden of the Campaign for Better Transport, identified the appointment of the board of the Council as a core aspect of its independence.⁷⁶

57.

RECOMMENDATION

To enhance and help safeguard the independence of the Passengers' Council, we recommend that the Chair of its board be added to the list of posts for which our Committee is expected to hold a pre-appointment hearing with the Government's preferred candidate.

Accessibility

58. The Government has said that accessibility is one of its “top priorities” for the railway, that it will be a central focus for GBR, and that the Bill is intended to “ensure that the interests of passengers, including those with accessibility needs, will be at the heart of decision-making on the railways”.⁷⁷ Disability stakeholders were generally positive about the potential effect on railway accessibility of unifying responsibility for track and train under one body.⁷⁸
59. Emma Vogelmann of Transport for All welcomed the explicit inclusion of disabled passengers in general passenger duty in clause 18, but noted the duty's lack of specificity and that “the current wording [...] does not guarantee improvements for disabled passengers, and it does not deliver measurable outcomes or create any real accountability”. She proposed amending the duties in the Bill to include a requirement “to actively and continuously improve accessibility across the rail network”.⁷⁹ The Campaign for Better Transport was among those pointing out that nothing in clause 18 as currently expressed would “guarantee measurable improvements to the accessibility of the network over time”. The same applies to the duty in clause 36 for the Passengers' Council to “have particular regard to” the interests and needs of disabled people.⁸⁰ Whizz Kidz argued that accessibility “should be backed by statutory standards, not just performance goals”.⁸¹

76 North East Combined Authority ([RWB0025](#)); [Q82](#)

77 Department for Transport, [Railways Bill factsheet: accessibility](#), 5 November 2025

78 [Q71](#)

79 [Q73](#)

80 Campaign for Better Transport ([RWB0058](#)); Transport for All ([RWB0029](#)); [Q73](#)

81 Whizz Kidz ([RWB0013](#))

60.

CONCLUSION

The specific inclusion of disabled passengers in the clause 18 passenger duty, and in the duty on the Passengers' Council in clause 36, are welcome means for improving the rail network's focus on accessibility through the Bill. The Bill could further support this aim and give the duties teeth by requiring improvement in accessibility.

61.

RECOMMENDATION

The clause 18 duty on Great British Railways, the Office of Rail and Road and the Secretary of State, and the clause 36 duty on the Passengers' Council, should be amended to require these bodies to exercise their functions in a way that improves accessibility of the rail network.

62.

The Bill would make GBR subject to the Public Sector Equality Duty (PSED); at present the PSED applies to Network Rail and to passenger train operators brought into the public sector, but not to private Train Operating Companies. The Bill does not, however, explicitly make GBR subject to the specific PSED duties; these require public authorities to publish information annually showing how they have complied with the general PSED, and to set equality objectives every four years.⁸² In correspondence following our oral evidence, the Minister for Rail confirmed that it was the Department's intention for GBR to be subject to the specific duties.⁸³

63.

RECOMMENDATION

Under the Bill as drafted, GBR is subject to the general Public Sector Equality Duty but not the specific equality duties that support the general duty. The Bill should be amended to add GBR to the list of bodies in schedule 2 of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017; there should be no need to bring forward separate regulations at a later point to effect this.

64.

The Bill does not make any specific provision for the make-up of the Passengers' Council board. Transport for All argued that "lived experience of disability" needed to have "a formal role" and that there should be a statutory requirement for a proportion of the board to be made up of disabled people.⁸⁴ The Equality and Human Rights Commission drew attention to the provisions of Article 4 of the UN Convention on the Rights of Persons with Disabilities, under which the UK has an obligation to "consult with and actively involve" disabled people and their representative organisations in policies and decision-making that relate to their lives. In respect of consultation, the Bill as drafted only requires the Passengers' Council to consult "persons they think appropriate", and there is no

82 Equality and Human Rights Commission ([RWB0026](#))

83 Letter to the Chair from the Minister for Rail relating to the Railways Bill, [21 January 2026](#)

84 [Q84](#); [Q105](#); Equality and Human Rights Commission ([RWB0026](#))

formal consultation duty on Great British Railways itself. The Rail Minister wrote to us saying that the general duties contained in clause 18 of the Bill were deemed sufficient to ensure that the board would be representative of passengers, including disabled passengers, and that it was the Government's intention for the board to have disabled passenger representation.⁸⁵

65. RECOMMENDATION

The Bill should be amended to require that at least two members of the Passengers' Council board have lived experience of travelling as a disabled person. We see no reason why the Government's intentions in this respect should not be codified and safeguarded in legislation, given the utmost importance of involvement of disabled people at strategic levels.

- 66.** We questioned the Department on why the Equality Impact Assessment referred to in the overall Impact Assessment of the Bill had not been published.⁸⁶ The Minister confirmed in correspondence that it was the Department's intention to do so before the Bill reached Report Stage in the House of Commons.⁸⁷ The Equality and Human Rights Commission has suggested that sight of the EIA will be particularly important in understanding the intended relationship between the clause 18 duty and duties which already apply under the Equality Act 2010.⁸⁸ We have previously drawn attention to the complex and confusing legal framework for transport accessibility and urged the Government to update and streamline it; the Department for Transport accepted our recommendation and has asked the Law Commission to take this work forward.⁸⁹

67. CONCLUSION

The Department for Transport has previously accepted the need to update and streamline the complex and confusing legal framework for transport accessibility. It would be unhelpful were the Railways Bill to add more complexity to this situation, especially if it did not meaningfully add to practical opportunities for enforcement action while doing so.

85 Letter to the Chair from the Minister for Rail relating to the Railways Bill, [21 January 2026](#)

86 [Q323](#)

87 Letter to the Chair from the Minister for Rail relating to the Railways Bill, [21 January 2026](#)

88 Equality and Human Rights Commission ([RWB0026](#))

89 Transport Committee, First Report of Session 2024–26, [Access denied: rights versus reality in disabled people's access to transport](#), HC 770; and the [Government response](#), First Special Report of Session 2024–26, HC 931

68.

RECOMMENDATION

The Equality Impact Assessment should have been published alongside the Bill to assist parliamentary scrutiny; we look forward to seeing it published as soon as possible. We ask that the Government clarify in that document or elsewhere the intended legal relationship between the clause 18 duty on promoting the interests of disabled people and the anticipatory duty under the Equality Act 2010 to make reasonable adjustments for disabled people to access services.

4 Network access

69. The Bill will place a duty on GBR, the Secretary of State and the Office of Rail and Road to promote use of the railway network for freight (clause 18) and on the Secretary of State to set a rail freight growth target for GBR (clause 17). The Government intends these mechanisms to counterbalance the control that GBR will have over access to the network, and the interest it will have in promoting its own passenger services. The Minister for Rail told us that “[o]ne way in which that target will be used is to preserve freight paths on the railway that are not currently used but could be used in the future” and that “[w]ithout a freight growth target, GBR might not have an obvious incentive to grow rail freight”.⁹⁰

70. **CONCLUSION**

We welcome the requirement in clause 17 for the Secretary of State to set a target to increase freight on the railways and the duty in clause 18(2)b. We note that the Government is aware of the risk that GBR would not otherwise have an incentive to grow rail freight. The Bill could be strengthened to further support the ambition to increase the use of rail for freight, and to allay concerns about insufficient incentives for GBR to allow freight paths on its network and insufficient certainty for freight-using businesses to invest.

71. There is concern among stakeholders about how certain clauses in the Bill relating to network capacity will work in combination, and the effect of those clauses on certainty for freight operators.⁹¹ The Department has said that its intention is that clause 60—which requires GBR to publish ‘infrastructure capacity plans’ setting out its view about the best use of its network—should apply before the ‘capacity duty’ provisions in clause 63—which require GBR to retain sufficient capacity for its own current or future passenger services—come into effect. There is, however, no wording in the Bill to clarify this.⁹²

90 [Q264](#); [Q268](#)

91 [Q57](#); Written evidence ASLEF ([RWB0033](#)); Transport UK ([RWB0055](#)); Logistics UK ([RWB0019](#))

92 [Q344](#)

72.

RECOMMENDATION

While the Government insists that the intended relationship between clause 60 and clause 63 is clear, multiple stakeholders disagree. The Bill should be amended to make it clear that the capacity duty does not apply until after an infrastructure capacity plan has been developed.

73.

AllRail expressed concern about the extent of the Secretary of State's powers in clause 71 to amend existing access agreements, because of the likely effect on the certainty required by private investors.⁹³ Arriva UK Trains noted that the Department has sought to reassure stakeholders that these powers will not be used to undermine existing open access agreements, but the Bill as drafted does not place any restrictions on the powers other than a 15-year sunset clause.⁹⁴

74.

RECOMMENDATION

The broad powers in clause 71 for the Secretary of State to alter existing access agreements could have a dampening effect on long-term investment in the railways by giving rise to uncertainty. The Government must consider whether these powers can be revised to provide reassurance to business and industry. The clause should be amended to require consultation with affected parties before regulations are drafted.

75.

The Bill will give the power to grant open access applications to Great British Railways.⁹⁵ The Office of Rail and Road (which currently has this function) will become an appeals body for these decisions, but clause 68 of the Bill sets out that ORR will only be able to apply the same principles as would be applied by the High Court on an application for judicial review. ORR will have further powers (to quash or remit a decision for review) only if, as Stephanie Tobyn put it, the initial decision was not "appropriately lawful".⁹⁶ The Government's intent is for decisions about the network to be in GBR's control as the 'guiding mind', but evidence to our inquiry expressed concern about the degree of GBR's power in this respect, the apparent conflict of interest with its role as an operator of passenger services and the potential effect on other users or would-be users of the network.⁹⁷

93 [Q56](#); see also [Q63](#)

94 Arriva UK Trains ([RWB0016](#))

95 [Q31](#)

96 [Q38](#)

97 Logistics UK ([RWB0019](#)); Transport UK ([RWB0055](#)); Alstom UK & Ireland ([RWB0050](#))

76.

RECOMMENDATION

While the role of open access passenger services is a matter for debate, we note that it is the Government's clear intention to promote greater freight use of the railway. The appeal mechanism for open access decisions set out in the Bill—applying judicial review principles—is overly narrow and jeopardises this aim. The Bill should be amended to give freight operators the ability to appeal access decisions to the Office of Rail and Road on additional grounds that reflect the outcomes the Government is seeking from an increase in rail freight.

5 Devolution

- 77.** The Government has said that it wants to balance GBR’s ‘directing mind’ role with ensuring that devolved and local priorities are a significant consideration in its decision-making.⁹⁸ Jeremy Westlake, Chief Executive of Network Rail, told us, “we want a devolved organisation that can work much more closely with the communities that we serve”.⁹⁹ The Minister said that:

GBR must have an obligation to work very closely with mayors and to consult them and listen carefully to what they are saying but, in the end, to formulate the wider railway network, both to satisfy as many of those aims as they can and not to create, outside the boundaries, worsening of other services.¹⁰⁰

- 78.** Devolution of rail passenger services to local areas, already possible under section 24 of the Railways Act 1993, will continue to be an option under clause 28 of the Railways Bill; these arrangements are in place for Transport for London and Merseytravel. In December 2025 the Government published new guidance on the process for the ‘right to request’ full devolution for ‘established’ Mayoral Strategic Authorities.¹⁰¹
- 79.** The Government’s preferred option for greater involvement of devolved authorities is, however, through “GBR mayoral partnerships”¹⁰² which are intended to “empower local leaders to shape rail outcomes, responding to local priorities”.¹⁰³ Clause 5 of the Railways Bill provides for GBR to enter into agreements with “relevant local government bodies”, these being mayoral combined authorities and mayoral combined county authorities (which together will be categorised as Mayoral Strategic Authorities under the English Devolution and Community Empowerment Bill) or Passenger Transport Executives (which are at present all executive bodies of mayoral combined authorities). The partnerships are intended to “enabl[e] MSAs to

98 Department for Transport, [A Railway Fit for Britain’s Future: Government response](#), p.93

99 [Q252](#)

100 [Q351](#)

101 Department for Transport, [English rail devolution applications](#), gov.uk, 12 December 2025

102 Department for Transport, [English rail devolution applications](#), gov.uk, 12 December 2025

103 Department for Transport, [Railways Bill factsheet: devolved and local government](#), gov.uk, 5 November 2025

co-design and, where appropriate, commission services with GBR”¹⁰⁴ while avoiding the financial and legal risk associated with full devolution.¹⁰⁵ This will, the Government hopes, “meet many of the MSAs’ rail ambitions”.¹⁰⁶

80. Witnesses noted that the Bill does not place an obligation on GBR to enter into such partnerships.¹⁰⁷ We heard the view that devolution should be the default expectation, and that the language in the Bill did not currently support that.¹⁰⁸ In general, Jamie Ross, Director of Transport for Liverpool City Region, described the Bill as “off the pace on devolution”.¹⁰⁹
81. Other elements of the Bill contribute to what the Government has called “a new statutory role” for MSAs, though a number of organisations expressed concern about what they felt was the weakness of some of these mechanisms. The requirement in clause 16 for GBR to “have regard to” Local Transport Plans was highlighted; the North East Combined Authority suggested this should instead be a requirement to “give due weight” to LTPs, while the Greater Manchester Combined Authority preferred a duty to “align decisions with” these plans.¹¹⁰ We heard calls for MSAs to be formal consultees on the Long Term Rail Strategy, or for authorities to have another formal role in its development and review.¹¹¹ At present, only Welsh Ministers and the Passengers’ Council are statutory consultees. Jason Prince of the Urban Transport Group argued:

if you are looking to really let rail shine again [...] why would you not in the development of a rail strategy want to engage with MSAs and mayors? It is a little bit out of kilter, in terms of the aspirations for what devo can do [...].¹¹²

104 Department for Transport, [Railways Bill factsheet: devolved and local government](#), gov.uk, 5 November 2025

105 Department for Transport, [English rail devolution applications](#), gov.uk, 12 December 2025

106 Department for Transport, [Railways Bill factsheet: devolved and local government](#), gov.uk, 5 November 2025

107 Urban Transport Group ([RWB0051](#)); North East Combined Authority ([RWB0025](#))

108 West Midlands Rail Executive ([RWB0064](#)); Midlands Connect ([RWB0048](#))

109 [Q218](#)

110 Transport for London ([RWB0022](#)); North East Combined Authority ([RWB0025](#)); Greater Manchester Combined Authority ([RWB0034](#)); [Q228](#); [Q229](#)

111 North East Combined Authority ([RWB0025](#)); Urban Transport Group ([RWB0051](#)); West Midlands Rail Executive ([RWB0064](#)); Alstom UK & Ireland ([RWB0050](#)); Greater Manchester Combined Authority ([RWB0034](#))

112 [Q232](#)

82.

RECOMMENDATION

Mechanisms in the Bill comprising the new statutory role for Mayoral Strategic Authorities (MSAs) could risk being too subject to goodwill. GBR should be required to enter into mayoral partnerships when requested to do so by an MSA whose request meets certain criteria in line with the Long Term Rail Strategy. MSAs should be statutory consultees on the Long Term Rail Strategy, and GBR should be required to give weight to—not simply have regard to—the Local Transport Plans of MSAs and Passenger Transport Executives.

83.

None of the Bill’s provisions forming part of this new statutory role would apply to local government bodies which are not going to become Mayoral Strategic Authorities, and this was a concern for some, as while it is government policy for every part of England to be covered by some sort of mayoral authority in the future, that is not currently the case.¹¹³ The Government’s February 2025 consultation document set out a ‘GBR Mayoral Partnership Framework’ which stated that all Local Transport Authorities and sub-national transport bodies could pursue “strategic engagement” with GBR to ensure that its planning benefitted from “local and regional intelligence”. Levels of engagement beyond that would require a mayoral form of strategic authority.¹¹⁴ The Minister told us that the reason for this was “because of the wider targets, powers and resources on economic growth, jobs and homes [MSAs] are going to have”.¹¹⁵

84.

Nonetheless, the Minister said that “the objective is that GBR works collaboratively with all devolved leaders”, and he gave the example of Cornwall as a non-mayoral authority which has a good working relationship with the Department.¹¹⁶ The Government has said that GBR business units will act as “a single point of contact for all levels of local government in England on local railway matters”.¹¹⁷ Lord Hendy acknowledged it might be helpful for the Bill to provide flexibility for GBR to enter agreements with more than one authority at a time, to deal effectively with management that crosses borders.¹¹⁸

113 Transport East ([RWB0044](#)); Medway Council ([RWB0045](#)); Midlands Connect ([RWB0048](#)); Alstom UK & Ireland ([RWB0050](#))

114 Department for Transport, [A Railway Fit for Britain’s Future: Government response](#), para 6.26

115 [Q354](#)

116 [Q358](#)

117 Department for Transport, [Railways Bill factsheet: devolved and local government](#), gov.uk, 5 November 2025

118 [Q355](#)

85. The Minister told us:

I want you and all your colleagues who are elected representatives and, indeed, local transport authorities, combined authorities and devolved Administrations, to be able to identify individuals who are responsible for the railway—people who wake up and say ‘This is all my fault, and we’ve got to fix it’.¹¹⁹

We heard concerns, however, about how local leaders and authorities would be able to hold GBR to account for its delivery of services.¹²⁰ Mal Drury-Rose of the West Midlands Rail Executive argued that the Bill was “not strong enough at all on accountability” and said:

The mayor has made it very clear that the accountability of the operators providing services in our region is critical to us. When we have no services or the services fail, the region stops, and Birmingham stops, because the road network just cannot cope. How can we not have a say on accountability and holding GBR to account?¹²¹

Clause 48 will require the Passengers’ Council to consider a matter referred to it by an MSA; Mr Drury-Rose further suggested that the passenger watchdog should be regionalised. Liverpool City Region Combined Authority called for “total transparency” in GBR’s operating, safety and customer satisfaction data to enable accountability to MSAs, and the Greater Manchester Combined Authority in addition asked for the organisation’s Business Plan and financial reporting to adopt a regional structure.¹²²

86. RECOMMENDATION

We acknowledge that effective local control over rail services can best be exercised at the level of strategic authorities. It is essential that all parts of England should be able to engage effectively with GBR and, in particular, to hold it to account for its local or regional performance. The Government must ensure that all Local Transport Authorities can receive information from GBR on request, and should investigate a role for MSAs and other LTAs on bodies reflecting GBR’s planned regional business units.

87. RECOMMENDATION

The provisions in clause 5 should be amended to enable GBR to enter into a single arrangement with more than one relevant local government body, to allow for effective co-operation on local services that cross authority boundaries.

119 [Q250](#)

120 Transport for London ([RWB0022](#)); Transport for the North ([RWB0037](#))

121 [Q232](#)

122 [Q233](#)

Conclusions and recommendations

The Railways Bill

1. We recognise the need for structural change on the railways. We support the main purpose of the Railways Bill: to establish Great British Railways as a single organisation overseeing both track and train, and capable of acting as a ‘directing mind’ for the railway. (Conclusion, Paragraph 3)
2. Understandably, and as with previous railways legislation, the Railways Bill gives a partial picture of the framework for a new regime under Great British Railways. The Bill is designed to last a long time and is accompanied by various additional documentation. The unpublished documents are important not just for scrutiny, but for confidence throughout the industry. This inquiry has picked up on issues that may be addressed in future documentation, such as issues of accountability and enforcement, the independence of the Passengers’ Council, and the potential truly to improve on rail accessibility, but this list cannot be treated as exhaustive—there may be other unintended consequences, conflicts or omissions that we are yet to be able to identify. (Conclusion, Paragraph 6)
3. Before the Bill reaches Report Stage in the House of Commons the Department for Transport should publish a comprehensive list, with target dates, of decisions, key documents and planned consultations leading up to the establishment of Great British Railways and in its first year of operation. This should include milestones for consultation and negotiation with the affected workforce. (Recommendation, Paragraph 7)

Our scrutiny of the Bill

4. Departmental committees have an important contribution to make to scrutiny of legislation, being less adversarial and more specialist than Bill committees, and being able to continue scrutiny of the policy implementation long after the legislation is passed. (Conclusion, Paragraph 9)

5. We urge the Government to consider how best to manage the timetabling of major legislation in the House of Commons to give a reasonable opportunity for relevant departmental select committees to conduct complementary scrutiny. (Recommendation, Paragraph 10)

A better railway for passengers

6. The Government intends that Great British Railways should be a responsible guiding mind: to achieve this, it requires independence and protection from political interference in its day-to-day operations. Clause 7 as currently drafted would permit a future Secretary of State, if so minded, to micromanage GBR through directions. The intention of the current Government that the power only be used sparingly could be reflected in the legislation. (Conclusion, Paragraph 20)
7. We recommend that clause 7 of the Bill be amended to require that use of the power of direction must be necessary and proportionate. This would preserve the Secretary of State's power of enforcement over GBR and ability to course-correct on strategic issues, but would prevent micromanagement of its operations. (Recommendation, Paragraph 21)
8. We welcome the Bill's provision for a Long Term Rail Strategy. The more clarity that can be given to both the public and private sector about the long-term strategic aims for the railway, the greater the benefits will be in terms of efficiency, planning for rail infrastructure and clarity for the wider economy. (Conclusion, Paragraph 23)
9. More detail in the Bill on what the Long Term Rail Strategy must include would help to ensure the document is meaningful and useful, and that it gives a measure of clarity and certainty. (Recommendation, Paragraph 26)
10. There is inevitably a tension between realising the value of a truly long-term strategy and recognising that governments must retain discretion and flexibility. It is essential that the Long Term Rail Strategy does not lose continuity and become in effect a series of short-term strategies. The Bill should be amended to require that the Strategy be laid before Parliament, and that, where the Secretary of State makes substantive changes, it be required to be laid again in its amended form. (Recommendation, Paragraph 29)
11. We welcome the Government's original commitment to publishing the draft GBR licence before the Bill leaves the House of Commons. We urge the Government to publish at least an initial draft of GBR's licence before the Bill's Report Stage so that the draft can be subject to scrutiny by the House of Commons. (Conclusion, Paragraph 33)

12. There are benefits to unified duties but the Bill is insufficiently clear on how they will operate in decision-making, in particular the weighting to be assigned to each factor. The Office of Rail and Road will enforce GBR's business plan but is not bound by it. If the Government intends ORR to have regard to detail on how to balance duties that is contained in the business plan, it must put that detail into statutory guidance. (Conclusion, Paragraph 38)
13. As GBR is accountable to the Secretary of State for fulfilment of its duties, we recommend the Secretary of State issues and publishes statutory guidance on how GBR, at least, should weigh up competing elements of the duties. This will allow for consistency and transparency in decision-making. The guidance must make it clear that cost must be considered proportionately and not outweigh all other considerations. (Recommendation, Paragraph 39)
14. It is not clear from the Bill how the Secretary of State, GBR and the ORR will be assessed on how they fulfil their clause 18 duties or how the duties will be enforced should they fall short. There is a danger that the Secretary of State's interpretation of the duties may be overly dominant, which risks impairing the independence of ORR as a regulator. (Conclusion, Paragraph 43)
15. We are concerned that there is no specific mechanism to assess GBR's performance against the passenger interest duty placed on it by the Bill. The standards set by the Passengers' Council will be part of GBR's licence, enforced by the ORR. The Bill should also contain a mechanism for performance against the relevant standards to be taken into account by a court making a judgment on whether the duty to promote the interests of users in clause 18(2)a has been met. (Recommendation, Paragraph 44)
16. The Bill should be amended to include a duty on the Secretary of State to set a passenger journey growth target similar to the duty to set a freight growth target in clause 17. A target would incentivise commercially-minded improvements to services. This must not come at the expense of freight, which should be reflected in the Bill. Increasing passenger journeys will help achieve the Government's aims to support growth and decarbonisation through connectivity and modal shift. It is also fundamental to the purpose of GBR—so seems an odd omission from the legislation. (Recommendation, Paragraph 47)
17. Standards set by the Passengers' Council will be a crucial tool in improving the passenger experience of the railways. The Government clearly intends the Council to set such standards, so it is odd that the Bill only confers on it the power to do so rather than requiring this to happen; the Bill should be amended to this effect. The Government's intention that the Council be able to set standards in areas other than passenger information, compensation,

complaints and accessibility should be reflected more clearly in the legislation. The Bill should explicitly state that the Passengers' Council has discretion to set standards on any other matters it deems necessary for the fulfilment of its statutory duties. (Recommendation, Paragraph 50)

18. The reliance of the Passengers' Council on the Office of Rail and Road to take enforcement action could add complexity and delay to an already complicated system for complaints, enforcement and remedies, and we are concerned that an opportunity to streamline these elements of the railway could be missed. (Conclusion, Paragraph 54)
19. The Passengers' Council will be required by the Bill to protect passengers' rights through monitoring operators' compliance with its standards and receiving, considering and investigating complaints. It must be trusted to carry out that role. We consider it unlikely in the extreme that the Council would find a frivolous matter worthy of referral to ORR for enforcement. The Bill should therefore be amended to require ORR to take action from the range of enforcement actions open to them, unless there is a legal impediment to doing so or the issue has been satisfactorily remedied, within a limited timeframe following a referral of an issue by the Passengers' Council. (Recommendation, Paragraph 55)
20. To enhance and help safeguard the independence of the Passengers' Council, we recommend that the Chair of its board be added to the list of posts for which our Committee is expected to hold a pre-appointment hearing with the Government's preferred candidate. (Recommendation, Paragraph 57)
21. The specific inclusion of disabled passengers in the clause 18 passenger duty, and in the duty on the Passengers' Council in clause 36, are welcome means for improving the rail network's focus on accessibility through the Bill. The Bill could further support this aim and give the duties teeth by requiring improvement in accessibility. (Conclusion, Paragraph 60)
22. The clause 18 duty on Great British Railways, the Office of Rail and Road and the Secretary of State, and the clause 36 duty on the Passengers' Council, should be amended to require these bodies to exercise their functions in a way that improves accessibility of the rail network. (Recommendation, Paragraph 61)
23. Under the Bill as drafted, GBR is subject to the general Public Sector Equality Duty but not the specific equality duties that support the general duty. The Bill should be amended to add GBR to the list of bodies in schedule 2 of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017; there should be no need to bring forward separate regulations at a later point to effect this. (Recommendation, Paragraph 63)

24. The Bill should be amended to require that at least two members of the Passengers' Council board have lived experience of travelling as a disabled person. We see no reason why the Government's intentions in this respect should not be codified and safeguarded in legislation, given the utmost importance of involvement of disabled people at strategic levels. (Recommendation, Paragraph 65)
25. The Department for Transport has previously accepted the need to update and streamline the complex and confusing legal framework for transport accessibility. It would be unhelpful were the Railways Bill to add more complexity to this situation, especially if it did not meaningfully add to practical opportunities for enforcement action while doing so. (Conclusion, Paragraph 67)
26. The Equality Impact Assessment should have been published alongside the Bill to assist parliamentary scrutiny; we look forward to seeing it published as soon as possible. We ask that the Government clarify in that document or elsewhere the intended legal relationship between the clause 18 duty on promoting the interests of disabled people and the anticipatory duty under the Equality Act 2010 to make reasonable adjustments for disabled people to access services. (Recommendation, Paragraph 68)

Network access

27. We welcome the requirement in clause 17 for the Secretary of State to set a target to increase freight on the railways and the duty in clause 18(2)b. We note that the Government is aware of the risk that GBR would not otherwise have an incentive to grow rail freight. The Bill could be strengthened to further support the ambition to increase the use of rail for freight, and to allay concerns about insufficient incentives for GBR to allow freight paths on its network and insufficient certainty for freight-using businesses to invest. (Conclusion, Paragraph 70)
28. While the Government insists that the intended relationship between clause 60 and clause 63 is clear, multiple stakeholders disagree. The Bill should be amended to make it clear that the capacity duty does not apply until after an infrastructure capacity plan has been developed. (Recommendation, Paragraph 72)
29. The broad powers in clause 71 for the Secretary of State to alter existing access agreements could have a dampening effect on long-term investment in the railways by giving rise to uncertainty. The Government must consider whether these powers can be revised to provide reassurance to business and industry. The clause should be amended to require consultation with affected parties before regulations are drafted. (Recommendation, Paragraph 74)

- 30.** While the role of open access passenger services is a matter for debate, we note that it is the Government's clear intention to promote greater freight use of the railway. The appeal mechanism for open access decisions set out in the Bill—applying judicial review principles—is overly narrow and jeopardises this aim. The Bill should be amended to give freight operators the ability to appeal access decisions to the Office of Rail and Road on additional grounds that reflect the outcomes the Government is seeking from an increase in rail freight. (Recommendation, Paragraph 76)

Devolution

- 31.** Mechanisms in the Bill comprising the new statutory role for Mayoral Strategic Authorities (MSAs) could risk being too subject to goodwill. GBR should be required to enter into mayoral partnerships when requested to do so by an MSA whose request meets certain criteria in line with the Long Term Rail Strategy. MSAs should be statutory consultees on the Long Term Rail Strategy, and GBR should be required to give weight to—not simply have regard to—the Local Transport Plans of MSAs and Passenger Transport Executives. (Recommendation, Paragraph 82)
- 32.** We acknowledge that effective local control over rail services can best be exercised at the level of strategic authorities. It is essential that all parts of England should be able to engage effectively with GBR and, in particular, to hold it to account for its local or regional performance. The Government must ensure that all Local Transport Authorities can receive information from GBR on request, and should investigate a role for MSAs and other LTAs on bodies reflecting GBR's planned regional business units. (Recommendation, Paragraph 86)
- 33.** The provisions in clause 5 should be amended to enable GBR to enter into a single arrangement with more than one relevant local government body, to allow for effective co-operation on local services that cross authority boundaries. (Recommendation, Paragraph 87)

Formal minutes

Wednesday 4 February 2026

Members present:

Ruth Cadbury, in the Chair

Dr Scott Arthur

Mrs Elsie Blundell

Jacob Collier

Alex Mayer

Baggy Shanker

Rebecca Smith

Laurence Turner

Railways Bill

Draft Report (*Railways Bill*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 87 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Eighth Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

Adjourned till Tuesday 10 February 2026 at 4.00 pm

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 26 November 2025

John Larkinson, Chief Executive, Office of Rail and Road; **Stephanie Tobyn**, Director of Strategy, Policy and Reform, Office of Rail and Road [Q1–50](#)

Maggie Simpson OBE, Director General, Rail Freight Group; **Steve Montgomery**, Managing Director, FirstRail; **Nick Brooks**, Director General, AllRail [Q51–69](#)

Wednesday 10 December 2025

Ben Plowden, Chief Executive, Campaign for Better Transport; **Emma Vogelmann**, Co-Chief Executive, Transport for All; **Sue Sharp**, Deputy Chair, Disabled Persons Transport Advisory Committee [Q70–108](#)

John Davies, Vice President for Industrial Relations, Trainline; **Anthony Smith**, Chair, Independent Rail Retailers; **David Pitt**, Vice President, SilverRail Technologies UK Ltd [Q109–127](#)

Alex Robertson, Chief Executive, Transport Focus; **Alex Campbell**, Director of Insight and Policy, Transport Focus [Q128–154](#)

Wednesday 17 December 2025

Fiona Hyslop MSP, Cabinet Secretary for Transport, The Scottish Government; **Bill Reeve**, Director of Rail Reform, Transport Scotland [Q155–183](#)

Peter McDonald, Director of Transport and Connectivity, The Welsh Government [Q184–215](#)

Jason Prince, Director, Urban Transport Group; **Mal Drury-Rose**, Executive Director, West Midlands Rail Executive; **Jamie Ross**, Director of Transport, Liverpool City Region [Q216–247](#)

Wednesday 7 January 2026

The Lord Hendy of Richmond Hill CBE, Minister of State for Rail, Department for Transport; **Jeremy Westlake**, Chief Executive, Network Rail; **Richard Goodman**, Director General for Rail Reform and Strategy, Department for Transport; **Lucy Ryan**, Director for Rail Transformation Programme, Department for Transport [Q248-365](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

RWB numbers are generated by the evidence processing system and so may not be complete.

1	ASLEF	RWB0033
2	AllRail	RWB0072
3	Alstom UK & Ireland	RWB0050
4	Angel Trains	RWB0038
5	Arriva UK Trains	RWB0016
6	Ball, Dr Malcolm John	RWB0006
7	Barry, Professor Mark	RWB0004
8	Bring Back British Rail	RWB0068
9	Bunting, Dr John W	RWB0009
10	Buziuk, Hleb	RWB0001
11	Campaign for Better Transport	RWB0058
12	CoMoUK	RWB0035
13	Community Planning Alliance	RWB0005
14	Community Rail Network	RWB0059
15	Consumer Scotland	RWB0020
16	David, Stephanie	RWB0003
17	Equality and Human Rights Commission	RWB0026
18	Eurostar UK	RWB0066
19	FirstGroup plc	RWB0074
20	Fletcher, Mr Ian	RWB0061
21	Greater Manchester Combined Authority	RWB0034
22	Healthy Air Coalition	RWB0060
23	Hogan, Mr Christopher	RWB0011
24	Icomera UK Limited	RWB0049

25	Independent Rail Retailers	<u>RWB0036</u>
26	Institution of Mechanical Engineers	<u>RWB0056</u>
27	Intelligent Transport Systems UK	<u>RWB0054</u>
28	Jennings, Anthony	<u>RWB0067</u>
29	Logistics UK	<u>RWB0019</u>
30	London St. Pancras Highspeed	<u>RWB0053</u>
31	London TravelWatch	<u>RWB0047</u>
32	Lumo and Hull Trains	<u>RWB0040</u>
33	Medway Council	<u>RWB0045</u>
34	Midlands Connect	<u>RWB0048</u>
35	National Union of Rail, Maritime and Transport Workers (RMT)	<u>RWB0046</u>
36	North East Combined Authority	<u>RWB0025</u>
37	O’Leary, Dr. Killian (Lecturer in Marketing, Lancaster University); and Dr. Leighanne Higgins (Senior Lecturer in Marketing , Lancaster University)	<u>RWB0014</u>
38	Online Travel UK	<u>RWB0031</u>
39	Rail Delivery Group	<u>RWB0052</u>
40	Rail Forum	<u>RWB0032</u>
41	Rail Freight Group	<u>RWB0007</u>
42	Rail Plant Association (RPA)	<u>RWB0027</u>
43	Rail Safety and Standards Board	<u>RWB0024</u>
44	Railfuture Limited	<u>RWB0062</u>
45	Railways Pension Trustee Company Ltd and Railpen	<u>RWB0018</u>
46	SilverRail Technologies	<u>RWB0075</u>
47	SilverRail Technologies	<u>RWB0039</u>
48	Solomon, miss Juliet	<u>RWB0010</u>
49	Stadler Rail UK	<u>RWB0057</u>
50	The Business Travel Association (The BTA)	<u>RWB0012</u>
51	The Chartered Institute of Logistics and Transport (UK)	<u>RWB0041</u>
52	Trainline	<u>RWB0076</u>
53	Trainline	<u>RWB0065</u>
54	Transport East	<u>RWB0044</u>

55	Transport Focus	<u>RWB0063</u>
56	Transport UK	<u>RWB0055</u>
57	Transport for All	<u>RWB0029</u>
58	Transport for London	<u>RWB0022</u>
59	Transport for the North	<u>RWB0037</u>
60	TravelWatch NorthWest	<u>RWB0023</u>
61	Tyler, Jonathan	<u>RWB0015</u>
62	Unite the Union	<u>RWB0008</u>
63	Urban Transport Group	<u>RWB0051</u>
64	WEST COAST RAIL 250 CAMPAIGN	<u>RWB0017</u>
65	Wabtec UK Ltd	<u>RWB0042</u>
66	We Own It	<u>RWB0070</u>
67	We Own It	<u>RWB0030</u>
68	West Midlands Rail Executive	<u>RWB0077</u>
69	West Midlands Rail Executive	<u>RWB0064</u>
70	Wheels for Wellbeing	<u>RWB0028</u>
71	Whizz Kidz	<u>RWB0013</u>
72	Worldline	<u>RWB0043</u>
73	techUK	<u>RWB0069</u>

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2024–26

Number	Title	Reference
7th	Rail investment pipelines: ending boom and bust	HC 575
6th	Sifting of proposed negative Statutory instruments	HC 1679
5th	Engine for growth: securing skills for transport manufacturing	HC 1223
4th	National Policy Statement for Ports	HC 1028
3rd	Buses connecting communities	HC 494
2nd	Managing the impact of street works	HC 522
1st	Access denied: rights versus reality in disabled people's access to transport	HC 770
3rd Special	Buses connecting communities: Government Response	HC 1419
2nd Special	Managing the impact of street works: Government Response	HC 1318
1st Special	Access denied: rights versus reality in disabled people's access to transport: Government Response	HC 931