



24 Hatton Garden Liverpool L3 2AN
Tel: 0151-227 5181 Fax: 0151-236 2457
www.merseytravel.gov.uk

Your Ref:
Our Ref: RTIG-c040-ns *

Tel DL: 0151-330 1101
Fax DL: 0151-330 1368
Date: 02 March 2010

John Trippier
Office of Rail Regulation
1 Kemble Street
London
WC2B 4AN

By email: john.trippier@orr.gsi.gov.uk

Dear

Consultation on a draft Real Time Train Information Code of Practice

We very much welcome the ORR's conclusion, from its 2009 investigation into ATOC and the provision of Real Time Train Information, that there is merit in a Code of Practice being published which seeks to set out the criteria for those wishing to access systems providing real time information to rail passengers in the UK.

By way of introduction, RTIG-INFORM was formed by the merger, in April 2009, of the Real Time Information Group (RTIG) and its sister organisation INFORM and aims to further the effective use of information technology in the public transport sector by means of sharing experience and developing common approaches and specifications.

RTIG-INFORM has a wide membership drawn from UK local authorities, public transport operators and system suppliers, with representatives from Government and other key industry groups.

As an organisation, we believe that real time information can make a true difference to the use of public transport, offering reassurance and an increased sense of security for passengers and supporting sustainable cities. Real time information has the ability to change a passenger's perceptions about public transport and is therefore key to promoting smarter choices, and make travelling easier and more manageable. In this context it is essential to ensure that UK plc is making full use of existing data and innovative delivery opportunities.

RTIG-INFORM agrees with the principles of draft the Code of Practice presented as part of this consultation, together with its aims to bring transparency to the market and to provide a behavioural framework.

Cont/.....



Merseyside Integrated Transport Authority and Passenger Transport Executive
Chief Executive & Director General - Neil Scales
Director of Resources - Jim Barclay • Director of Corporate Development - Liz Chandler
Director of Customer Services - Frank Rogers • Director of Integrated Transport - Alan Stilwell



The annex to this response provides a few suggestions for improvements on specific aspects of the draft Code. In addition, once operational, we would like some assurance that the Code will be applied vigorously with its standards robustly enforced and monitored by the ORR.

We believe that application of the Code should be kept under review and its effectiveness in keeping the market open and fair be fully appraised. We feel that this is particularly important in a market such as this which is clearly still developing, and at a rapid rate. With the constant advances in technology and the emergence of new and innovative methods of information delivery, it is imperative that there are no restrictions on progress and innovation and no barriers to market development.

In the future, with the emergence of further technical integration, it will be possible to help secure seamless journeys, including those between transport modes, which would attract more people to public transport.


A further consideration going forward for the Code of Practice should be to ensure that it helps to facilitate joined-up, multi-modal journeys. For instance, it should be technically possible for bus and train real time information to be made available in a joint way to passengers both electronically, through mobile devices, and onboard either the bus or train, facilitating greater certainty on end-to-end journeys. In the event of a problem on the network, then alternative journey information, complete with real time journey/departure times etc. could be supplied direct to them if a passenger's journey details are available, for instance having been registered through a smartcard. This does, however, rely on the availability of real time information and the Code has a key role to play in this.

Any ongoing review of the Code needs to consider issues such as these and, in the event of any failures, the Code should be looked at again.

Should you require any additional information then please feel free to contact me.

Regards

Yours sincerely

ep
Neil Scales

Chair RTIG-INFORM

Chief Executive and Director General, Merseytravel

Annex to RTIG-c040-ns: Specific comments on the draft Code of Practice

Numbering

It is difficult to refer to clauses the Code; numbering the sections and clauses would be very helpful in this regard.

Similarly, once adopted the Code should be dated and versioned.

Benefit to passengers

The criteria are unclear about what benefit hurdle must be met – whether it is “additional”, or “demonstrable”, and what can be “outweighed”. We suggest the test should be “demonstrable net benefit”.

Quality of applicant

The criteria are unclear about what constitutes a “reputable” company. In particular the comment on “previous dealings with NRE” is unclear in this context: this could potentially be read as either “we didn’t like you last time” or “we will only deal with established suppliers” – both unfair.

Data feed – specification

The mechanism for providing access to data is unclear. It would be preferable to commit to publishing an open specification for (XML-formatted) data feeds available, rather than merely providing it on request; and moreover, to manage this specification on a configuration-controlled basis, to prevent unilateral changes from compromising existing connections.

As an industry group which maintains open standards on behalf of the industry, RTIG-INFORM would be a possible repository for this data feed specification.

Data feed – publication

We fully accept that NRE cannot provide a comprehensive service level guarantee. However it should be able to provide service level information in terms of aspects such as system availability, latency time, etc. Ideally it should also provide monitored

quality information regarding data from its external providers; although it is accepted that there would be a cost associated with this, such information would surely be required as part of NRE's own management processes anyway.

Applicant information – commercial

It is unclear why NRE need information about the applicant's commercial proposition. Is this to assess the *net benefit* of the proposition, or to assess the *technical robustness* of the applicant's project? We believe it should be the latter only – see also the points on charging, below.

Applicant information – new uses

It is not clear why a separate application is required for each permitted use. The Code of Practice should establish general conditions of use, and any use fulfilling those conditions should be permitted by default. We accept that new services may, on occasion, need to be reviewed to ensure they comply with the conditions of use.

Charges

We have grave concerns on the “case by case approach to charging”, which is “designed to encourage innovation and allow smaller developers to enter the market”. As phrased this is *prima facie* discrimination and must be either clarified or dropped.

Similarly, the provision that “charges will be set reflecting the usefulness to the public, level of innovation, costs and returns...” is inappropriate. Charges should reflect solely the impact on NRE and TOCs, and should be independent of the nature of the third party service. Business as well as technical innovation on the part of the third party will drive effective data usage, and NRE should not gain benefit from a third party's value-add.

All charges should be subject to ORR approval to ensure that they are not restrictive.

Misuse

There is no provision in the draft Code for how NRE expects to monitor and enforce compliance with the conditions of use. This should be rectified.