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Peter Henderson  
Chief Executive (Acting)  
Network Rail  
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## **Operational performance in 2010-11**

Passengers and freight operators have suffered serious levels of disruption to their train services during the recent severe winter weather.

The immediate priority, beyond restoring current operations, must be for the industry to review its performance over this period. We recognise that great efforts were made by people right across the railway to keep services running, sometimes in the most hostile conditions, and great credit is due for this. But where there are lessons to be learned this must happen quickly, and practical steps which can improve the handling of any further such conditions for the rest of this winter and for next winter must be taken now.

We look to the National Task Force, of which you are a key member and in which we participate, to ensure that this happens. I am also writing to Chris Burchell as chair of NTF on this matter, and on the related question of providing reliable information to passengers.

For Network Rail itself it is now clear that mainly as a result of this disruption, and of worse than expected performance during the autumn “leaf-fall” period, you are unlikely to meet a number of the operational performance requirements we established for 2010-11 as part of the 2008 periodic review. These represent customers’ reasonable requirements and any such failure must therefore be considered a potential breach of the network licence.



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Where any of these requirements is not met we will therefore ask you whether you can provide robust evidence that you have been operating the network in accordance with your licence obligation. If you consider that failure to meet the performance requirements is due to circumstances beyond your control you will need to provide clear evidence of this, and that you have nonetheless taken all reasonably practicable steps in accordance with best practice, both in the year so far and for its remaining periods, to achieve the required levels of performance. We would also expect to see your plans to learn lessons for the future, and the commitments you are making to deliver these.

I am placing a copy of this letter on our website and sending copies to Bronwyn Hill at DfT, Chris Burchell at NTF and David Middleton at Transport Scotland.

Yours sincerely

A handwritten signature in blue ink that reads "Bill Emery". The signature is written in a cursive style with a small dot at the end.

**Bill Emery**