

Richard Fisher

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28th May 2014

Tom Joyner
Operations Director
London Midland
102 New Street
Birmingham
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Dear Tom,

London Midland Cancellations

Thank you for inviting me to see you to discuss allegations made in the anonymous letter dated 15th May, in which the author claimed that London Midland and Network Rail had 'a deal' for Network Rail to accept responsibility for London Midland cancellations.

In order to investigate these claims, I requested all London Midland cancellation data from Network Rail for the industry year 2013-14 and randomly selected 10% of the incidents that were categorised in the 'Commercial Takeback' KPI for detailed review. Further to this, at our meeting, you provided background details on another sample of data that I had selected for us to audit.

I can confirm that with both samples, all of the incidents were coded correctly and in accordance with normal industry practices.

In the letter, the complainant states that some London Midland caused cancellations were being coded to Network Rail in respect of the Birmingham New Street redevelopment. I identified two examples where cancellations were attributed to Network Rail's investment projects and am satisfied that they are correctly coded:

- Birmingham New Street - where prior to the 'switchover' at the station, London Midland was committed to a plan to relocate the Birmingham New Street train crew facilities to a location on the station. At short notice, and no doubt in response to a scope change relating to the project, Network Rail informed London Midland that this location was no longer suitable. This meant alternative accommodation was located outside of the station.

The result of this change was that London Midland staff representatives had to be released from duty to be consulted on new arrangements in relation to this accommodation change. I also note that London Midland had no choice but to do this, as any delay in this relocation would have meant safety critical train crew being located in inadequate accommodation, and furthermore could have jeopardised the success of the project. Therefore these incidents were correctly coded to Network Rail.



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- Bletchley - where as a result of the Bletchley re-modelling scheme running late, the release of drivers to learn new infrastructure was pushed back into the peak holiday season. This combined with some issues around reduced access to the carriage sidings to cause services to be cancelled. Again, I am satisfied these incidents were correctly coded to the root cause of Network Rail responsibility.

Having reviewed your submissions, and also the London Midland cancellation data that Network Rail has provided to me, I am satisfied that there is no case to answer on this occasion and I would like to thank you for your co-operation in this matter.

I will be publishing this letter on our website, and copying it to Liam Talbot and Paul Seller at the Department for Transport.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'R. Fisher', written in a cursive style.

Richard Fisher

cc. Liam Talbot, Paul Seller.