

Inquiry into the Railways Bill Intelligent Transport Systems UK Submission

About Intelligent Transport Systems UK

Intelligent Transport Systems UK (ITS UK) is the national industry association for transport technology. We provide a national platform to support the roll out of technology for a cleaner, safer and more effective transport network, both at home and abroad.

ITS UK has 200+ members, from both the private and public sector, covering all sizes and disciplines, with members working in areas like smart ticketing, mobility as a service (MaaS), integrated transport, real time passenger information, public transport services, traffic management and enforcement, demand responsive transport, road user charging, connected and autonomous vehicles, and much more.

We would be happy to provide further information on the submission provided below. If this would be of use, please email ITS UK Public Affairs & PR Executive Eduardo Pitts, at eduardo.pitts@its-uk.org.

Introduction

ITS UK supports the Government's intentions to provide a more unified railway and welcomes provisions aimed at raising passenger standards. ITS UK especially welcomes the Government's explicit commitment in the Bill to support innovation in railway services and ensure that independent ticket retailers will continue to compete in a fair and open retail market.

However, ITS UK believes the bill requires further detail to ensure the legislation fully supports innovation, commits to open data and reflects GBR's intent to compete fairly and openly in the retail ticket market.

Recommendations

1. A commitment within the legislation to an 'Open by Default' approach to data
2. The Code of Practice must prevent cross-subsidies and ensure equal treatment



1. A commitment within the legislation to an ‘Open by Default’ approach to data

The current Bill lacks a statutory duty for GBR to adopt an “open by default” approach to all non-sensitive, non-commercial rail data. ITS UK believes the Bill should require GBR to publish such data in machine-readable, openly accessible formats, as previous proposals for GBR have done.

Open data powers passenger-facing innovation, fosters diverse private sector solutions, and brings significant economic return. Examples include:

- Experience from Transport for London’s open data approach shows supporting an open data portal requires investment of £1m per year, but delivers returns of £130m annually in economic benefit and creates significant job growth. It also has supported a number of apps and platforms that have improved customer experience of transport in the capital.¹
- Dublin also found success with open data through Dublin City Council’s open data initiative ‘Dublinked’. A part of the ‘Smart Dublin’ programme looking to boost innovation and improve services,² Dublinked provides large amounts of economic health, facility and infrastructure data in Dublin.³ It has grown to support the provision of real time passenger information across all transport modes, and the development of journey planning apps and platforms like Transport for Ireland.⁴ More recently, the creation of the Dublin Active Travel Dashboard has helped measure the impacts of active travel investments⁵.
- The EU has deployed open data initiatives through the Commission’s Sustainable and Smart Mobility Strategy, which aims to leverage data exchanges between public and private actors to improve traffic management, public transport accessibility, and green mobility across Europe.

The Rail Minister has confirmed publicly his commitment to open data in rail. However, ITS UK believes an ‘open by default’ approach to data should be stipulated in legislation to future-proof the approach, ensuring future policy-makers do not have the ability to restrict access for third parties, which could choke off innovation, and limit passenger choice. Including a commitment in the Bill would also align with work by the Department for Business and Trade to establish Smart Data Schemes across the economy, including in transport.⁶

1. A commitment within the legislation to an ‘Open by Default’ approach to data

¹ <https://content.tfl.gov.uk/deloitte-report-tfl-open-data.pdf>

² <https://www.greatermanchester-ca.gov.uk/media/3935/dublinked.pdf>

³ <https://data.smartdublin.ie/>

⁴ <https://smartdublin.ie/real-time-passenger-information/>

⁵ <https://smartdublin.ie/using-data-to-expand-safe-active-travel/>

⁶ <https://www.its-uk.org/smart-data-what-is-it-and-why-does-transport-needs-to-know-about-it/>

2. Code of Practice must prevent cross-subsidies and ensure equal treatment

ITS UK welcomes the Government's reaffirmed support for a plural, competitive and innovative ticket retail market. However, GBR's intended role as infrastructure manager, service operator and ticket retailer creates the risk of market-distorting cross-subsidies.

The Bill's current framework for a Code of Practice overseen by the Office of Rail and Road (ORR) must include the following:

- Whether the code will dictate how GBR's own ticket retailer operates, or just how GBR interacts with the wider retail market. If not, what mechanism will hold GBR's retailer to account.
- The Code of Practice should explicitly prohibit any cross-subsidisation from GBR's statutory functions to its ticket retail business. This is essential to maintain a level playing field for third-party retailers, spur innovation, and avoid a state ticketing monopoly.
- All third-party ticket retailers must have equal, real-time access to fares, rules, timetables, discounts and data, on a par with GBR's own retail business, including new retail discounts and products introduced by GBR or any other operator.
- The Code must provide transparent audit and appeals processes, with enforcement by the ORR, providing confidence for existing and prospective market participants.

2. Code of Practice must prevent cross-subsidies and ensure equal treatment