

John Larkinson
Chief Executive

Patrick Verwer
Managing Director
Govia Thameslink Railway Limited
Monument Place
24 Monument Street
London
EC3R 8AJ

31 May 2019

Dear Patrick

Contravention of condition 4 of GB Statement of National Regulatory Provisions: Passenger (SNRP)

On 14 March 2019, I sent a letter¹ advising that the ORR Board had determined that Govia Thameslink Railways Limited (GTR) contravened Condition 4 of its SNRP in relation to its provision of passenger information following the implementation of the 20 May 2018 timetable and during the subsequent disruption. The Board considered it appropriate to impose a penalty and proposed a penalty amount of £5 million. This letter also enclosed a proposed Penalty Notice² in accordance with s.57C (1) of the Railways Act 1993.

In accordance with s.57C (1)(e) ORR specified the period within which representations or objections with respect to the proposed penalty may be made, requiring all responses by 5 April 2019.

Consultation representations

ORR received two responses during the specified period, which were not withdrawn; one letter from Transport Focus and one from GTR (*a letter and two documents*).

¹ https://orr.gov.uk/_data/assets/pdf_file/0019/40654/orr-decision-letter-to-gtr-pidd-investigation-2019-03-14.pdf

² https://orr.gov.uk/_data/assets/pdf_file/0020/40655/orr-penalty-notice-for-gtr-2019-03-14.pdf

The Board has carefully considered all of the representations received and taking account of all the evidence, ORR's published economic enforcement policy, and its duties set out in section 4 of the Railways Act 1993 made the following decisions:

- **Contravention Decision:** The Board did not consider that GTRs representations on the contravention call into question the soundness of the contravention decision.

- **Consideration of penalties:** ORR's Board decided that it:
 - a. remains of the view that the imposition of a penalty is justified and proportionate, in accordance with the Macrory principles; and

 - b. remains of the view that a penalty of £5 million is appropriate in this case.

Section 57C Notice

In accordance with Section 57C of the Railways Act 1993, enclosed with this letter is ORR's formal final notice confirming a penalty sum of £5 million.

This notice sets out in more detail the reasons for the above decisions and the factors considered in reaching this final decision.

In accordance with the Act, the penalty should be paid to the Secretary of State by 28 June 2019 unless GTR make an application within 21 days from the date of this Notice for ORR to specify different dates by which different portions of the penalty are to be paid.

I am copying this letter to David Brown, Go-Ahead Group Chief Executive, and to the Secretary of State for Transport, Polly Payne, Ruth Hannant and Tim Rees at the Department for Transport.

We will publish this letter, the enclosed decision notice and all representations received on our website.

Yours sincerely



John Larkinson
Chief Executive