**EXPLANATORY MEMORANDUM TO THE**

**TRANSPORT FOR LONDON (RESERVED SERVICES)(CROYDON TRAMLINK AND DOCKLANDS LIGHT RAILWAY) EXCEPTION ORDER**

**2005 No. 763**

**1.** This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

**2. Description**

The Order excepts all agreements in respect of Croydon Tramlink and Docklands Light Railway, under which station or train operating functions are provided by a person other than Transport for London or its subsidiaries, from the requirement that the Secretary of State's consent be obtained before they are entered into or carried out. The Docklands Light Railway is now defined by this Order to include the City Airport Extension and the Woolwich Arsenal Extension.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**
None.

**4. Legislative Background**

Certain services to be provided by the concessionaires for DLR and Croydon Tramlink may come within the definition of 'station-operating functions' under section 207 of the Greater London Authority Act 1999. These are 'reserved services'. Section 207(2) states that Transport for London and its subsidiaries may not contract out reserved services without the consent of the Secretary of State for Transport. Section 207(6) allows the Secretary of State for Transport to grant consent on a case by case basis. However, by the Transport for London (Reserved Services) (Croydon Tramlink and Docklands Light Railway) Exception Order 2000 (SI 2000 No 1143) the Secretary of State has already granted generic exception from the provisions of section 207 (2) to contract out reserved services on the existing DLR network. The effect of this Order is to include the City Airport and Woolwich Arsenal Extensions to DLR in that exception.

**5. Extent**

This instrument applies to England.

**6. European Convention on Human Rights**

This instrument is subject to negative procedure and does not amend primary legislation. Therefore no statement as to compatibility has been made.

**7. Policy background**

7.1 Section 207 (2) was included in the GLA Act to prevent Transport for London, without the consent of the Secretary of State for Transport, from entering into

agreements with outside contractors for specified 'reserved services', that is station and train-operating functions. However, the Secretary of State may by Order make exceptions to the restrictions to enable the DLR to franchise out and expand the network.

7.2 This order revokes the Transport for London (Reserved Services) (Croydon Tramlink and Docklands Light Railway) Exception Order 2000 and replaces it with new exceptions which comprise all those covered by the earlier order but with the addition of new portions of the Docklands Light Railway. The exceptions will now apply in relation to the Docklands Light Railway routes listed in paragraph 7.3 and to the Croydon Tramlink and will permit the "contracting out" of reserved services on those routes and the Tramlink.

7.3 The DLR routes covered are—

Stratford – Canary Wharf – Crossharbour – Lewisham;

Bank – Canary Wharf – Lewisham;

Tower Gateway – Beckton;

Tower Gateway – Lewisham;

Canning Town – Thames Wharf – West Silvertown – Pontoon Dock – London City Airport – King George V; and

King George V – North Woolwich.

Docklands Light Railway

7.4 DLR Limited is a small organisation that owns the assets of the railway. Its role is to provide for the operation of the railway and plan the future development to meet the needs of the area.

7.5 In 1997, the operation and maintenance of the railway was franchised to the private sector. Serco Docklands Ltd now operates and maintains the Docklands Light Railway under a seven-year franchise, which was recently extended by two years until 31st March 2006. The company was formed in 1997 when the management team won the bid for the franchise in conjunction with Serco.

7.6 In November 1999 the Lewisham extension was opened. It was built under a Concession agreement which saw a private sector consortium, CGL Rail plc, design and build the extension. CGL Rail plc is also responsible for maintaining the railway on a 24.5 year lease.

7.7 Transport for London was created by the Greater London Authority Act 1999. The body brings together all organisations in London responsible for provision of transport in the Capital and formally came into being on 3 July 2000.

Croydon Tramlink

7.8 The Croydon Tramlink Act 1994 received Royal Assent on 21st July 1994, allowing the construction of Tramlink. The Tramlink opened in May 2000.

Trams serve the centre of Croydon and are divided into three lines to provide a service from Wimbledon to Elmers End, Croydon to Beckenham Junction and Croydon to New Addington.

7.9 It is operated by a concessionaire, Tramtrack Croydon Ltd (TCL), who have a 99 year concession to run the system on behalf on Transport for London.

## 8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There is no impact on the public sector.

## 9. Contact

Andy Rudd at the Government Office for London, Tel: 020 7217 3015 or e-mail: jbonde.gol@go-regions.gsi.gov.uk can answer any queries regarding the instrument.