

HRA AGM Wolverhampton 11 February 2017

I am very grateful, chair, for this opportunity to address the AGM. I am going to speak – fairly briefly – about three subjects. They are they are first, the work of the Railway Heritage Designation Advisory Board, and the obligations this may place on HRA members; secondly the employment of young people as volunteers on our heritage railways; and third, the work of the heritage rail all-party parliamentary group and its new inquiry into the educational value of heritage railways;.

Let me start with the relationship between HRA members and the Railway Heritage Designation Advisory Board, which I chair on behalf of the Science Museum trustees.

As many of you will know we have been able to exercise the statutory powers given to us by the 1996 Railway Heritage Act and subsequently amended in a way that has increasingly enabled designated artefacts which are of historic significance to find new homes on heritage railways, once the national railway has no further use for them.

In the last year alone, 27 items were designated, and seven were disposed of to a variety of institutions, including the Electric Railway Museum, the East Kent Railway, and the Great Cockrow Railway.

I must however make the point that if you as a heritage railway accept such an item, you are undertaking to look after it and keep it in the best condition possible. I was not impressed by a report that one HRA member had cared so poorly for a pair of unique pre-grouping crossing gates that they had almost no value except for scrap. When we asked for an explanation, the answer came back:

“As to plans for the crossing gates we have none as they are totally non-standard and of no practical use to the railway and we have no internal storage/display area suitable for them. We are at a loss as to how we came to be loaned them in the first place!”.

Sorry, that is not good enough. If you are not certain you can look after a designated item properly, you should not accept it.

Normally HRA members are acutely sensitive to the need to preserve valuable artefacts, and when they receive them they have to pay regard to a set of criteria which we issue at the time of disposal. Fortunately such examples are very rare, but when a difficulty like this occurs we have to take it seriously.

Let me move on to another issue – the consequences of the HRA receiving counsel’s opinion that the Employment of Women, Young Persons and Children Act 1920 makes it illegal for young people between 12 and 15 to work as paid employees or volunteers on heritage railways.

Historians among you may be aware that the Act was designed to give effect to an early resolution of the League of Nations formed after the first world war to prevent the exploitation of child labour in dangerous industrial undertakings. The measures were designed to protect children against the sort of dangers described by Dickens or by Charles Kingsley 50 years beforehand, and the Act was perhaps out of date in Britain, even before it received Royal Assent.

Even if we put the most charitable interpretation on it, and assume that the legislators acted with the righteous glow of social reform motivating them, which of them could have conceived that, almost a hundred years on, it would have the effect of preventing youngsters from experiencing

the excitement and fulfilment of involvement with a steam railway? For those of us of the post war generation, steam trains were a major part of our lives, and it is sad indeed that our grandsons and granddaughters are being denied the experience we enjoyed as children.

Whilst we have an assurance from HMRI that no proceedings would be taken against a heritage railway based on this Act, and some sympathetic support from Government departments, the fact that it remains in force and specifically relates to railways, is a highly unsatisfactory situation, and is already having a deterrent effect on many of our member railways who are, understandably, unwilling to carry on recruiting volunteers in the 12-15 age group when the risks are so unclear, and the law remains in force.

As many of you know, I have raised this in the House of Lords, and Nicky Morgan is about to do the same in the Commons. We have suggested amendments to current legislation to change this pointless and damaging anomaly. Whilst these specific amendments have so far been rejected, the issue is now on the table for all to see, and other opportunities to exempt heritage railways and ships from this arcane law will arise. We are currently looking with the experts at whether it might be possible to achieve this by ministerial order, or whether primary legislation is going to be required, which will take longer and a lot more effort to achieve.

As you may already have guessed, the Government's time is going to be taken up with implementing the outcome of last year's referendum, so pressure on Parliamentary time is going to be severe, and the chance of a specific bill to deal with this are remote, although it is just possible that a private member's bill might succeed. The ballot for these takes place soon, and it is just possible that a successful member might be prepared

to take on such a bill, but the odds are not good. We will also be looking for other employment related legislation where a suitable clause might be added to a Government Bill.

We've now arrived at a point where we are rapidly exhausting other courses of action, so I wish to take this opportunity to invite all HRA members to contact their Member of Parliament in a wider attempt to help secure a satisfactory solution to this problem. We'll be offering you guidance on the sort of letter we'd like you to write.

In all this, I should like to pay tribute to the work of Geoffrey Claydon in helping me raise this issue quickly and effectively in Parliament. We are lucky that the HRA is blessed with many good people who are both competent and knowledgeable, but I think Geoffrey may be unique in being able to draft an amendment to legislation in a committee of the House, which is acceptable to the Public Bill Office, and to do so almost at the drop of his elegant hat!

Building on this theme, we know the value of heritage railways in firing the imagination of youngsters, and we see every day on our own railways, their educational value as groups of schoolchildren visit and see the pages of history come to life before their eyes. And of course, it is not just history where the railway plays a role, but in geography, economics, engineering and communications. They touch our lives at so many points.

Then, as the schoolchildren grow up, many railways offer valued apprenticeships which maintain vital engineering skills, often in areas with little alternative in the way of other training opportunities. These skills are transferable too, and there are many examples of young

trainees from our railways going on to work on the national network or other employers.

I should explain that following the change of Prime Minister, we had to change the chair of the all-party group, because rather to his surprise Mark Garnier, the Severn Valley Railway's local MP, and chair of the group got a job as a trade minister in Mrs May's government, and had to resign from the APPG. Fortunately for us – but not for her - Nicky Morgan was fired in the same reshuffle from her job as secretary of state for education. You may remember that she and I formed the APPG soon after the 2010 election, and Nicky, as MP for much of the Great Central Railway, was the first chair. It didn't take her long to agree to my suggestion that she take up the reins again.

As I indicated a moment ago, Nicky has picked up the issue of young volunteers on heritage railways, and has tabled an amendment to the National Citizen Service Bill similar to those that I ran with in the Lords.

We are also keen to explore the possibilities for young people on heritage railways a little further. We know that many railways do good work in this area, and part of the project will be to give this some publicity and to share best practice between our members. Similarly, it will involve the relevant government departments - particularly education, transport and business, innovation and skills – and raise the profile of our achievements with them.

The aim is to carry out an inquiry, as we did with the economic value of heritage railways, into the educational and training value of heritage railways, particularly to young people. The format will be similar, with written evidence invited from anyone who wishes to submit it, and two or three oral evidence sessions in the House of Commons. We plan to do

that in the course of this parliamentary year and to produce a report in about 12 months time.

The nature of rail passenger franchising has changed completely over the last five years, driven in part by the managing director of passenger services at the department for transport, Pete Wilkinson, who came to talk to the all-party group last September. Pete has of course been in the news lately in connection with comments he made some time ago about industrial relations issues on Southern Rail, but we should also recognise that he has a keen appreciation of the rich industrial heritage that is part of the warp and weft of the national railway network, and he wants to forge closer links between today's railway and the heritage lines and trains that we represent in this room.

We know that there is real value for both parties in such an approach.

- We know that the young riders on our lines today are more likely to use the national network tomorrow, and to take mum and dad with them;
- We know that the heritage railway apprentice or volunteer may well chose to take these skills into employment on the national rail network at some stage;
- We know that many of our lines are major attractions in their own right, quite capable of supporting a link with the main line, as our friends at Swanage will be demonstrating later this year;
- We know that some heritage main line operators offer a different experience for passengers who may not be regular rail travellers, and that the quality of on-board service is generally high;
- We know that passenger reaction to heritage railways is much more positive than to train operators on the national network.

So, there is everything to gain from closer cooperation, for both franchised and heritage train operators.

The later franchise specifications, starting with Scotrail, asked bidders to consider the opportunities, both for main line operators of heritage rolling stock and for heritage railways who might want to host an incoming franchise operator or extend to link with the national network.

These opportunities have come about through the positive work of the all-party group. This would have seemed inconceivable half a century ago with retrenchment and truncation of branch lines and a main line steam ban in place. Now the opportunities are there for us to grasp.

The most recent meeting of the APPG heard from the new rail minister, Paul Maynard, and his approach was very much on the same lines as Pete Wilkinson's.

Our next speaker, incidentally, on 2 May will be Sir Peter Hendy, whom we shall be hearing from tonight at dinner. As always, unless the meeting notice says "parliamentarians only", HRA members are welcome to attend. We would just ask that you let Chris Austin, who does a sterling job as the APPG's secretary, know in advance if you plan to come.

You have a lot of friends in both houses of parliament, and all of us who share a passion for heritage railways will continue to do what we can to fight for your interests.