



Department  
for Transport

From the Parliamentary  
Under Secretary of State  
**Paul Maynard MP**

Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

**Louise Ellman MP**  
Chair of the Transport Select Committee  
House of Commons  
London SW1A 0AA

Web site: [www.gov.uk/dft](http://www.gov.uk/dft)  
Date : 20 January 2017

Dear Louise,

Thank you for your letter of 13th January 2017, as you will appreciate, the situation on Southern is commanding the majority of both the Secretary of State's time and mine.

Regarding GTR's Force Majeure claim, the Department has concluded the assessment of the first three periods of the claim and discussed the findings with GTR. As you know, GTR are able to challenge the assessment of the claim and have indeed done so. GTR have provided additional evidence to support their challenge. Officials are currently considering the additional information provided and are in discussion with GTR. These discussions will determine whether the additional evidence provided is admissible and has any material effect on the assessment of the claim. I assure you that everything possible is being done to ensure this matter is brought to a close, and I am as frustrated as you are that we have yet to draw a line on this process. We expect to resolve this challenge as soon as possible. Resolving the challenge will also enable the Department to expedite the further periods of claims it has received.

I agree that it is important to understand whether GTR have breached performance benchmarks, and that we must do the right thing for passengers and taxpayers. It is important to note that termination of the franchise may be an option available to the Secretary of State and is not an absolute duty should GTR be found to have breached their targets. The Secretary of State has discretion and must, as you know, ensure that passenger and taxpayer interests are protected.

We absolutely understand the suffering passengers have experienced, and have been working tirelessly to bring this dispute to a resolution. I am therefore pleased that GTR are meeting with ASLEF at the TUC this week and that ASLEF have suspended industrial action. I am hopeful that a

resolution can be found. GTR are working to restore a full service following the suspension of industrial action.

Thank you for your continued interest in this important issue, and I look forward to keeping you updated.

A handwritten signature in blue ink that reads "Paul Maynard". The signature is written in a cursive style with a large initial 'P' and a stylized 'M'.

**PAUL MAYNARD**