

Mark Isherwood AM  
Chair  
Legislation Committee No.5  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

11 March 2009

Dear Mr Isherwood

**THE PROPOSED NATIONAL ASSEMBLY for WALES (LEGISLATIVE  
COMPETENCE) (WELSH LANGUAGE) ORDER 2009**

Thank you for inviting Arriva Trains Wales to respond to this consultation.

As a general response to questions 1 to 3 of Annex 1, it is extremely difficult to provide you with definitive answers as there is no available detail on the future intentions or aspirations of the National Assembly should the Legislative Competence Order (LCO) be granted to the National Assembly by UK Parliament. For any business to support, or object, to the conferring of such powers in this regard, it would be essential to understand what duties and obligations might be imposed upon it so that the consequences to that business could be assessed in terms of practicality and cost. To that end, we would not wish to see the law making ability of the National Assembly for Wales extended for the purpose of legislating on the Welsh language unless more clarity is provided.

In relation to question 4, and in particular Matter 20.1, I note that other transport organisations such as airlines, airports and bus companies are not included in the list and I would be interested to understand why they have been omitted, whereas railway companies have been specifically mentioned. It is not clear also whether all railway companies which operate within Wales are intended to be included in this legislation and clarity is undoubtedly required on this point. In so far as Matter 20.2 is concerned, it would be absolutely essential for this Company's operational safety that a caveat is included which specifically stipulates that all forms of safety communications would be conducted in the English language, and that customers are dealt with in the English language if that is their preferred language of communication.

In so far as the remaining questions are concerned, I make the following comments as per the relevant question numbers:

Cont'd ...

Cont'd ...

5. Welsh Language Board Functions

At present, this Company is not legally obliged to produce a Welsh Language Scheme. However, voluntarily, we have been working towards delivering a scheme in conjunction with the Welsh Language Board and have applied the principles of bilingualism in all its facets for many years. We do not believe expanding the functions of the Welsh Language Board would serve any useful purpose other than that of audit.

6. Matter 20.1 – Sub-Section (h), Sub-sub Section (vi): Railway Services

I have already commented on this matter in question 4 but would re-emphasise the need for clarification on why railway services have been specified in this Matter and no specific reference made to other transport organisations or businesses.

10. Matter 20.2

I would reiterate that we would not want issues of safety compromised by any duties or obligations imposed by subsequent legislation if the LCO is approved.

In conclusion, I trust that you will give due consideration to the points we have raised on this matter. In addition, at this point in time, we would opt for the Company name and address not to be published but would reconsider it in the light of any future request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Vaughan', written in a cursive style.

Michael Vaughan  
Head of Franchise & Stakeholder Management