

Consultation question 1:

The changes made to the code fall short of that required to encourage an open or transparent licencing system. The code requires that usage will not post a material adverse impact, including reputational impact. The code also requires a 'reputable company or person' be the licensee, with no explanation as to how this might be determined. Whilst an independent appeals avenue is now included, the cost of this is borne by the appellant unless the arbiter finds otherwise. The maximum response time to an application is 21 days (over 4 weeks). Other NRE services aren't covered by any code. Customer liability in the first year of licencing is £50,000. All of these factors are detrimental to stakeholders.

In mobile app development, all licences to use Darwin carry a cost. The NRE (National Rail Enquiries, a part of ATOC) is made available to the public free of charge, but no private competitor would be able to make such an offering without incurring a loss.

The sheer cost of many of NRE's licences are a huge barrier to innovation.

Consultation question 2:

The RTTI system (Darwin) incorporates data from operators (from their CIS – customer information systems), and this raw data remains unavailable to others. The Network Rail datafeeds differ from Darwin in multiple aspects.

Darwin can be queried for live departure boards for stations, or status of trains. This incorporates multiple datasources, including CIS/CID/Tyrell, TRUST, TD to show train history and a predicted time. This predicted time is then used across the network to provide a 'single version of the truth'. It is an API allowing for queries of processed data. Despite being the 'official' information source, there remains no open way for stakeholders to verify the quality of the information, nor seek correction of issues.

Network Rail datafeeds provide a live stream of train movements from TRUST and TD, as well as a set of timetable schedules in SCHEDULE, which can be recorded by the user to then compile train histories and published times. Use of the feeds requires extensive infrastructure investment, forces the user to attempt to calculate their own predicted time (contrary to the 'single version of the truth'), does not include CIS/CID/Tyrell updates from operators. Additionally, a lack of comprehensive relationship information makes the use of TD data extremely difficult.

As a result, RTTI has a unique product, and transparency is vital to ensure that a competitive market emerges. Network Rail datafeeds do not represent a viable alternative or competitor.

Consultation question 3:

A more open data standard would promote innovation by allowing for non-profit persons/organisations to develop apps without incurring financial burden from licencing. Paid/ad-funded and free apps would certainly be capable of coexisting – many successful free and paid apps have competitors from the other sector, and are distinguished by their design, accuracy, reliability and other factors.

Consultation question 4:

Open data has proved already that it is capable of improving the market. The Guardian published an article regarding the creation of trains.im, where open timetable data was employed to provide an alternative journey planner with multiple features over NRE.

<http://www.guardian.co.uk/news/datablog/2012/apr/02/rail-timetable-open-data>

If more NRE data were made openly available, significant improvements in offerings to consumers would be made, delivering new and innovative features. Such innovation should not be controlled by a monopoly in the market.