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## **ACCESS DISPUTES COMMITTEE**

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**MINUTES of MEETING No. 42**  
held in London on 22 July 2015

**Present:**

John Beer (Govia Thameslink Railway) (Committee Chair)  
John Czyrko (First Greater Western)  
Andy Wylie (Hull Trains)  
Nigel Oatway (DB Schenker Rail (UK))  
Robin Nelson (Freightliner Heavy Haul)  
Paul Thomas (Network Rail)  
Peter Craig (Network Rail)

**In attendance:**

Lesley Stephenson (CAHA Registrar Ltd) - for item 42/9  
Tony Skilton (Secretary)

**Apologies for absence:**

Dean Warner (Abellio Greater Anglia)

It was noted that the meeting was quorate.

**42/1 Approval of Minutes of Meeting no.41**

The Minutes of Meeting no.41, held on 26 March 2015, were approved. The Chair signed a copy of the Minutes as a true record of the proceedings.

**42/2 Matters arising from the Minutes of the previous Meeting**

All matters arising from the Minutes were listed as agenda items except:-

41/2 (previous 40/2, 39/3, 38/2, 37/3, 36/2, 35/2, 34/3, 33/2 and 32/9) Management of funds

The intended 60 Day Notice Business Savings Account with Cambridge & Counties Bank had now been opened.

41/2 (previous 40/8) Seminar for Hearing Chairs

The Secretary reported that he was still endeavouring to find a date convenient for all anticipated participants in the intended seminar.

**42/3 Matters determined in correspondence**

No matters had been determined in correspondence since Meeting no. 41.

#### **42/4 Financial matters**

##### **42/4.1 Accounts for 2014/15**

The auditors had indicated satisfaction with the accounts for 2014/15 and the Committee accordingly gave approval to the Chair formally signing the Income & Expenditure Statement. The Balance Sheet as at 31 March 2015 was also approved and signed.

##### **42/4.2 Current financial position**

The Committee noted a report from the Secretary regarding the financial position as at 20 July 2015 and the Secretary reported verbally regarding subsequent movements. No 2014/15 levy payments were outstanding. Nine Resolution Service Parties were yet to pay their levy for 2015/16, the combined total outstanding (including interest) being £37,932; reminders had been given.

The financial position was satisfactory for the present point in the Financial Year.

#### **42/5 Internal check arrangements**

John Beer had tabled a report regarding internal check activity which he had carried out since the 26 March meeting and this was noted.

It was agreed that Nigel Oatway would undertake internal check until the next meeting.

#### **42/6 Position on references**

The Committee noted a report from the Secretary setting out the current position regarding dispute references. The trend of a high number of Timetabling Disputes continued.

#### **42/7 Update on the website**

The Secretary reported that the website (including the Directory) was up to date.

#### **42/8 Timetabling Pool membership**

It was noted that Network Rail had changed two of its appointees to the Timetabling Pool.

#### **42/9 Abolition of the Rail Industry Dispute Resolution Committee and Rail Industry Dispute Resolution Council ("RIDRC")**

The Committee noted a report from the Secretary setting out the current position towards abolition of RIDRC; the enabling formalities had been completed and it now remained for ORR to authorise implementation. The Committee also noted the intentions concerning the financial arrangements currently operating between RIDRC and the Committee.

The Committee welcomed Lesley Stephenson, the Registrar within CAHA Registrar Ltd. Lesley reminded the Committee of the purpose of the Claims Allocation & Handling Agreement ("CAHA") and the role of the CAHA Registrar, then discussing with the Committee how the necessary administrative interface between the Committee and CAHA Registrar Ltd might best operate under the new arrangements. It was recognised that the current cost-sharing arrangements between the Committee and RIDRC should in all

probability not be perpetuated with CAHA Registrar Ltd and that the Committee's budgets should incorporate strategy for countering the additional financial exposure with effect from the next Financial Year.

#### 42/10 Timetabling Disputes

Opportunity was welcomed for discussion of an advanced draft of the report of an investigation conducted by Paul Thomas and Robin Nelson on behalf of the Committee into the increased numbers of Timetabling Disputes being registered. The Committee considered the approach of the investigation to have been suitably rigorous and that the report enabled concentration on the underlying issues, i.e. the drivers behind the trend.


In relation to engineering access, it was clear that operators wanted better assurance regarding the impact of the possession arrangements for the timetabling of train services and expected to be given justification for possession footprints. Also, there was too much late planning of engineering activity and associated revision of train services. Further, there was indication of some disconnect between engineers within Network Rail and their operational planning colleagues, also of disconnect between access planners and the timetabling staff who can provide the expected information regarding train service capability. Whilst there was apparently requirement within Network Rail for improved management control and exercise of executive authority where engineering planning interfaces with the timetable planning process, the emerging issues were clearly problems which needed to be "owned" and addressed by the practitioners.

Appreciating that it can do no more than bring its findings to the attention of industry parties, the Committee decided upon the following course of action:-

- Paul and Robin to put their draft report into final format;
- The report to be presented to Operational Planning Strategy Group in order to have engagement with the practitioners, being the people best placed to consider the recommendations and action to deliver improvements; and
- The Committee Chair and Secretary to consider and discuss with Committee members how the Committee might bring the report to the attention of relevant senior management within Network Rail with a view to securing support for improvement action within the operational and engineering spheres.

#### 42/11 Election of Committee Chair

ADR Rule J19 required election of a Committee Chair at the first meeting after 1 April in each year. The members present decided unanimously to elect John Beer as Committee Chair for the coming year.



Chair

10/12/15