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## **ACCESS DISPUTES COMMITTEE**

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**MINUTES of MEETING No. 57**  
held via Zoom videoconference on 30 July 2020

**Present:**

Nigel Oatway (Committee Chair)  
Andy Wylie  
Peter Craig  
Richard Parsons  
Ian Kapur  
Andrew Danson

**In attendance:**

Tamzin Cloke (Secretary)

**Apologies for absence:**

Raj Patel  
James Carter

It was noted that the meeting was quorate.

**57/1 Note minutes of matters decided in correspondence, in lieu of the 56th meeting**

These were noted and are available on the Committee's website.

**57/2 Matters determined in correspondence since March 2020**

Two matters had been determined in correspondence since the last meeting, namely approving the recruitment of the new Hearing Chairs and remitting the Secretary to secure a new, more cost-effective telecoms solution for the new office.

The Secretary provided a verbal update on the latter. The former item appeared later on the agenda.

**57/3 Matters arising from the minutes of the 54th meeting, held on 12 December 2019**

The Secretary provided a verbal update on the office move, which was noted. The Committee asked for its thanks to be given to the Secretary, the Office Assistant and the Committee's IT contractor for their assistance with the move during a difficult time.

**57/4 Position on references**

The Committee noted a report from the Secretary setting out the current position regarding dispute references. The high number of CPPP disputes was again noted and the industry CPPP Code of Practice was discussed. It was noted that its implementation appeared to have stalled, with a lack of appetite for putting it back into use. There was some wider discussion around mandatory dispute deadlines, the current commercial climate and whether surveying operators directly would be beneficial to understand the root cause of the high numbers of disputes.

A recent influx of issues with operators submitting invalid Notices of Dispute was noted. It was agreed that the Secretary would draft a reminder to the industry, to be endorsed by the Committee, about how to submit valid Notices of Dispute.

The recent outcome of an appeal relating to DAB guidance was noted, as was an upcoming issue with T-12 offers, which could lead to a rise in the number of disputes being registered.

#### **57/5 Recommendations arising from Determinations**

A separate spreadsheet refers. Several items were closed and it was agreed the updates would be discussed at the upcoming Hearing Chairs meeting. It was agreed that the appropriate forum for most items to be discussed and taken forward was via the industry Part D workshop / review group.

#### **57/6 Financial matters**

##### **a) Accounts 2019/20**

The Committee noted a paper from the Secretary and approved the accounts.

##### **b) Current financial position**

The Committee noted a report from the Secretary on this topic, and approved a proposal to waive interest charges on late payment of levies for 2020/21, due to economic difficulties faced by the industry because of the coronavirus pandemic.

##### **c) Heathrow Airports Ltd. levy**

The Committee noted a letter from Heathrow Airports Ltd., regarding its levy for 2020/21. Some discussion followed and the Secretary was remitted to respond accordingly, liaising with Committee Members as appropriate.

##### **d) CAHA Registrar's accounts for 2019/20**

The Committee noted the CAHA Registrar's accounts for 2019/20.

##### **e) Financial check**

The most recent financial check had taken place in early 2020. The ensuing report was noted and it was agreed that the next financial check would be postponed until the current need to work from home had abated. It was noted in the meantime that the financial audit was, and had been, taking place, which would provide similar assurance to the Committee.

#### **57/7 Update on website**

The Secretary provided a verbal report, including about some improvements to information accessibility, which was noted. It was noted that there had been some issues with Network Rail's website and copy of the Network Code, to which the Committee provides a live link on its own website. Richard Parsons advised that Network Rail's website was in the process of receiving an upgrade, and the issues should be sorted within a few days.

#### **57/8 Hearing Chair and Industry Advisor fees and contract renewal**

The Committee approved a paper from the Secretary proposing an extension to existing contracts, with a small uplift in fees, for Hearing Chairs and Industry Advisors. The Committee requested, and

was given, a verbal update on the new Hearing Chair recruitment. The Committee noted that some of the Industry Advisors had not heard recent cases and requested that a full list of current Industry Advisors, with their areas of expertise, be circulated to Committee Members by the Secretary.

#### **57/9 Hearing Chairs meeting topics**

The Committee noted the proposed agenda for the Hearing Chairs meeting the following week and agreed to add an item seeking feedback about Timetable Panel neutrality. It was agreed that the Secretary would seek views from the existing Chairs regarding an induction programme for the new Hearing Chairs. The Secretary advised that she had found the original training programme from 2010 and, when time allowed, would refresh it and submit it to the Committee for comment.

#### **57/10 Approval of amendment to the Property Management Agreement**

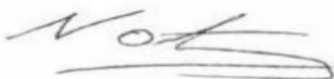
The Committee approved a paper from the Secretary requesting that the Committee enter into an amendment to its Property Management Agreement with Access Disputes Resolution (GB) Ltd., to reflect the new office lease, with some minor typographical amendments as suggested and agreed by Committee Members.

#### **57/11 Election of Chair**

The Committee Chair advised that it was his intention to retire from the industry by the end of the year. Following a brief discussion, the Committee unanimously elected Nigel Oatway to remain as Committee Chair until his retirement.

#### **57/12 Christmas meal**

It was agreed, given current and likely restrictions, that the Secretary would not seek to book a venue for the Christmas meal. Instead, restrictions allowing, a socially distanced event would take place in the Committee's offices after the December meeting.

A handwritten signature in black ink, appearing to be 'Nigel Oatway', written over a horizontal line.

Approved at Committee Meeting #58, signed via email