
ACCESS DISPUTES COMMITTEE

MINUTES of MEETING No. 62 held via videoconference on 17 March 2021

Present:

Andy Wylie (Committee Chair)
Nigel Oatway
Chris Meadows
Richard Parsons
Ian Kapur
Andrew Danson
Raj Patel (via video link)
Jonathan James

Apologies:

None

In attendance:

Tamzin Cloke (Secretary)

It was noted that the meeting was quorate.

62/1 Approval of the minutes of the 61st Meeting, held on 09 December 2021

These were approved and a signed copy will shortly be available on the Committee's website.

62/2 Matters arising from the minutes of the 61st meeting

All matters arising appeared under other agenda items.

62/3 Matters determined in correspondence

No matters had been determined in correspondence since the last meeting.

62/4 Position on references

The Committee noted a report from the Secretary setting out the current position regarding dispute references. It was noted that the number of TTPs being registered had stabilised, albeit there were still a number of 'stale' references that could be withdrawn (see **Action 61-01**). The pattern of late notice hearings being requested, only to be cancelled at very short notice and with associated cost to industry, had continued. This was thought to be primarily due to timetabling processes operating at reduced timescales, with concurrent reduction in time to resolve issues that would normally not lead to a hearing being required.

The recent ORR appeal determination for HAL/TTP003 was noted.

62/5 Update on website

The Secretary provided an update on the website, which is up to date.

62/6 IT and cyber security policy

The Committee approved an IT and cyber security policy, as drafted, save for the addition of a requirement for the administrative passwords to be kept in a secure cabinet. The policy was required to progress with a Cyber Essentials qualification, ensuring the Committee's data and systems remain secure.

62/7 Financial matters

a) Final outturn for 2021/22 and budget proposal for 2022/23

The Committee noted a report from the Secretary setting out the final outturn projections against the current year budget, together with the final budget proposal for 2022/23. 29 of the 2021/22 levy contributions were outstanding, the bulk of which related to new Resolution Service Parties.

The budget proposal for 2022/23 was approved, noting costs sharing contributions to be requested from the Delay Attribution Board, which together with application of accumulated surplus would enable the overall levy demand upon Resolution Service Parties for 2022/23 to slightly reduce compared to 2021/22. In adopting this strategy, the Committee was satisfied that its position as an ongoing concern will remain protected.

b) Approval of 2022/23 budget proposal for CAHA Registrar Ltd.

The Committee provisionally approved the CAHA budget proposal and requested that the Secretary seek a final outturn report for 2021/22 from the CAHA Registrar prior to the end of May (**Action 62-01**).

c) Update on the Committee's financial reserves

The Committee noted a report from the Secretary advising that maximum FSCS protection had been achieved for the Committee's financial reserves, closing an action from last year.

d) Changes to banking arrangements

Due to Nigel Oatway's imminent retirement, the Committee appointed Ian Kapur to become a nominated signatory for both the Committee's Cambridge & Counties and NatWest accounts. (**Action 62-02**)

e) Financial check

This was deferred to take place prior to the July meeting.

62/8 Employment matters

The Secretary provided an update on employment matters. Everything was up to date. The voluntary disclosure process was very slow due to 90-day turnaround times at HMRC. It was proving difficult to obtain the correct indemnity insurance for the Allocation Chair, but work was continuing.

62/9 Appointment of a director to the CLG

Due to Nigel Oatway's imminent retirement, the Committee appointed Ian Kapur to replace Nigel Oatway as a director of the CLG, under article 9.2 of the CLG's Articles of Association. The Secretary

was authorised to undertake the appropriate paperwork, both with the Company and Companies House (**Action 62-03**).

62/10 Recommendations arising from Determinations and Committee actions

A separate spreadsheet refers. Only one recommendation remained outstanding and Andy Wylie was progressing it through the Proposal for Change process. Of the 11 general actions recorded at Meet 61, four remained open, all were in-hand.

62/11 Proposed contract with Nexus

The Committee approved, in principle, a contract with Nexus to provide dispute resolution services, in a similar manner to HS1, HAL etc. Approval was subject to resolving concerns Committee Members had about some suggested amendments by Nexus to the Committee's contract and subject to a review by the Secretary and Allocation Chair of the final Nexus Network Code and ADRR (**Action 62-04**). Nexus required the contract to be finalised prior to the Committee's July meeting.

62/12 Industry reform and ADC

A brief update was provided; very little had changed since Meet 61.

62/13 AOB

The Committee noted that the two Network Rail Timetable Pool vacancies, which had been vacant for some time, were now filled.

The Committee Chair made a brief presentation to Nigel Oatway, on the occasion of his retirement, and conveyed the Committee's appreciation of the significant contribution that Nigel has made to the Committee's work over the past 25 years,



Approved via email 29 April 2022