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## **ACCESS DISPUTES COMMITTEE**

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### **MINUTES of MEETING No. 66** held in London on 27 July 2023

#### **Present:**

Andy Wylie (Committee Chair)  
Jonathan James  
Ian Kapur  
Chris Matthews  
Chris Meadows  
Kate Oldroyd

#### **Apologies:**

Matt Allen  
Raj Patel

#### **In attendance:**

Tamzin Cloke (Secretary)

It was noted that the meeting was quorate.

#### **66/1 Approval of the minutes of the 65th Meeting, held on 16 March 2023**

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

#### **66/2 Matters arising from the minutes of the 65th meeting**

All matters arising had been closed, save for an action relating to the CPPP Code of Practice, upon which good progress had been made.

#### **66/3 Matters determined in correspondence**

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

#### **66/4 Position on references**

The Committee noted a report from the Secretary setting out the current position regarding dispute references. The number of live TTPs remained below 100, with a continued flurry of TTP hearing activity, including an upcoming hearing for multiple HS2-related disputes on the GWML. The high number of CPPP disputes was again noted, as was a continually high number of late notice possession requests. The Committee noted a number of actions that Network Rail's National Access Planning Manager was taking to reduce the number of access disputes being registered. Ian Kapur took an action to close older GBRf TTP disputes (**Action 66-01**).

*Post-meeting note – all outstanding early GBRf disputes have now been formally withdrawn following final discussions with Network Rail*

#### **66/5 Update on website**

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

## **66/6 Financial matters**

### **a) Accounts 2022/23**

The Committee noted a paper from the Secretary and approved the accounts. The Committee approved an action for the Secretary to change the Committee's accounting approach to its dilapidations reserve to reflect the latest accounting practices, following a recommendation in the audit report.

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

The Committee noted a report from the Secretary on this topic.

### **c) CAHA Registrar's accounts for 2022/23**

The Committee noted the CAHA Registrar's accounts for 2022/23.

### **d) Financial check**

A financial check took place on 11 July 2023, undertaken by Chris Meadows who provided a report. No financial or numerical discrepancies were uncovered. It was suggested that the Secretary look at whether accounting software would provide a cost saving to the Committee against the Secretary preparing the accounts manually (**Action 66-02**)

Volunteer for next financial check - Jonathan James (**Action 66-03**).

## **66/7 Employment matters**

### **a) HMRC update**

The voluntary disclosure process remained ongoing; the accountants were still waiting for a further response from HMRC. Due to the length of time taken to date (nearly two years) for HMRC to conclude the matter, the Committee remitted the Secretary to ask whether interim backdated holiday pay payments could be made to the Secretariat (**Action 66-04**).

### **b) Secretariat pay review**

The Secretary was absent for this item. The Committee discussed and agreed a 5% uplift to the Secretariat's salaries, in line with current industry offers.

## **66/8 Update following Hearing Chairs meeting**

The Secretary provided a brief verbal update on general matters discussed, for those Committee Members unable to attend the above annual meeting, held under the Chatham House Rule.

## **66/9 Recommendations arising from determinations**

Three recommendations were discussed:

- (a) The Committee noted a recommendation from TTP2191, with strong support from the Hearing Chairs collectively, that the Committee formalise its process for handling very short notice timetabling disputes. The Secretary was in the process of drafting template documentation for circulation.

- (b) The Committee approved a recommendation from the Hearing Chairs that it introduce a standing day each year to hear all 'stale' TTP references, as an improved way of managing this issue. Both recommendation items (a) and (b) would be formally notified to industry shortly, once the draft documentation was agreed.
- (c) Following some discussion, and strong support from the Hearing Chairs collectively, the Secretary was asked to continue looking at whether Early Neutral Evaluation should a) be included within the free services that the Committee offers and b) be amended to make better use of this facilitative arrangement (as an alternative to determinative forums).

#### **66/10 Industry reform and ADC**

A brief update was provided on GBRTT consultations and engagement to date. There were a couple of papers circulating within industry, issued by GBRTT, that not everyone had received; the Secretary was asked to ensure all Committee members had copies (**Action 66-05**).

#### **66/11 Election of Chair**

ADR Rule J19 required election of a Committee Chair at the first meeting after 01 April each year. The members present decided unanimously to re-elect Andy Wylie as Chair for the forthcoming year.

#### **66/12 Christmas meal**

The Secretary was asked to book the same venue as last year, to be held after the December meeting (**Action 66-06**).



**Andy Wylie (Committee Chairman)**

**Date: 07 December 2023**