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## **ACCESS DISPUTES COMMITTEE**

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### **Annual Report for 2025**

- The Committee was pleased to receive confirmation, via recent industry consultations, that an independent disputes process is expected to continue under Great British Railways, for non-GBR operators. ADC is working closely with industry partners to put appropriate structures in place prior to 'Access Day' in 2027.
- 83% of registered disputes in 2025 related to engineering access items, in line with recent trends, despite a rise in timing disputes.
- Half of the hearings requested in 2025 related to timing issues (the Working Timetable (WTT), Train Operator Variation Requests (TOVRs), the Informed Traveller Offer at T-12). Underlying reasons for this change include: the major December 2025 WTT changes; movement of freight traffic from Felixstowe to London Gateway, necessitating multiple TOVRs; lack of capacity studies for engineering access leading to last-minute timetable disputes.
- Despite multiple informal enquiries, numbers of other types of disputes remain very low.
- Five 'open afternoon' sessions were held in 2025, with four scheduled so far for 2026. Topics discussed have included: all types of dispute processes; what to expect on a hearing day; lessons learned from previous disputes. We have open Q&A sessions, and usually a Hearing Chair in attendance. Feedback so far has been extremely positive, and sessions can be tailored to match the needs of those attending. If your teams are interested, please contact the Secretary.
- Parties are reminded to check the Committee's Directory of Precedents, on the Committee's website, which contains key points from previous determinations, indexed by Network Code and Track Access Contract sections. For any assistance using this helpful tool, please contact the Secretary.
- Subject to availability, the Committee's premises near Paddington station may be found to offer a cost free alternative to booking meeting rooms and hot desking in Central London.
- At this stage, the Committee does not expect to significantly increase its overall funding requirement when issuing levy invoices for 2026/27.

## REPORT FOR 2025

1. Access Dispute Resolution Rule J3(g) requires the Committee to “monitor and report at least annually to the Resolution Service Parties upon the work of the Committee”. The Committee is pleased to issue its report for the calendar year 2025.

### Dispute references - Network Rail infrastructure

2. Details of dispute references received can be found on the Committee’s website, together with any associated Timetabling Panel or (subject to the confidentiality provisions) Access Dispute Adjudication (ADA) determinations and any ORR appeal decisions. In accordance with the ADR Rules, Timetabling Panel determinations are also issued directly to a nominated person in each operating company. **If you believe that you are missing from this distribution list, please contact the Secretary.**
3. The position regarding dispute references handled in relation to Network Rail’s infrastructure during 2025 can be summarised as follows:

#### For a Timetabling Panel (TTP)

‘Live’ references on 31 December 2024	82
New references received in 2025	195
References withdrawn in 2025	187
Hearings held in 2025	8
References determined in 2025	9
Determinations appealed in 2025	2
Pending hearing at 31 December 2025	81
Hearings arranged for 2026	2

#### For an Access Dispute Adjudication (ADA)

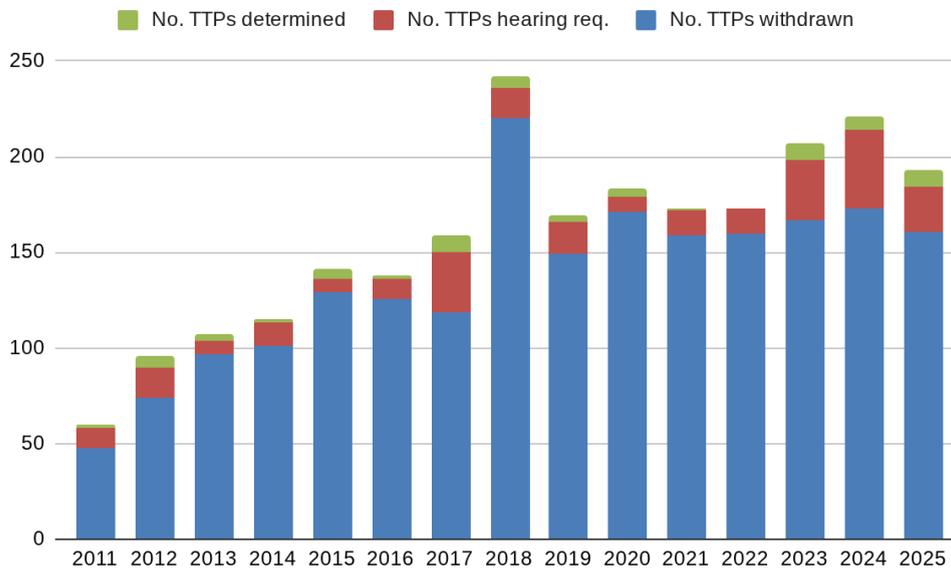
‘Live’ references on 31 December 2024	0
New references received in 2025	1
References withdrawn in 2025	1
Hearings held in 2025	0
References determined in 2025	0
Appeals submitted in 2025	0
Pending hearing at 31 December 2025	0
Hearings arranged for 2026	0

4. One allocation hearing was scheduled this year, however it did not take place as the Parties agreed on an appropriate forum to address the dispute.

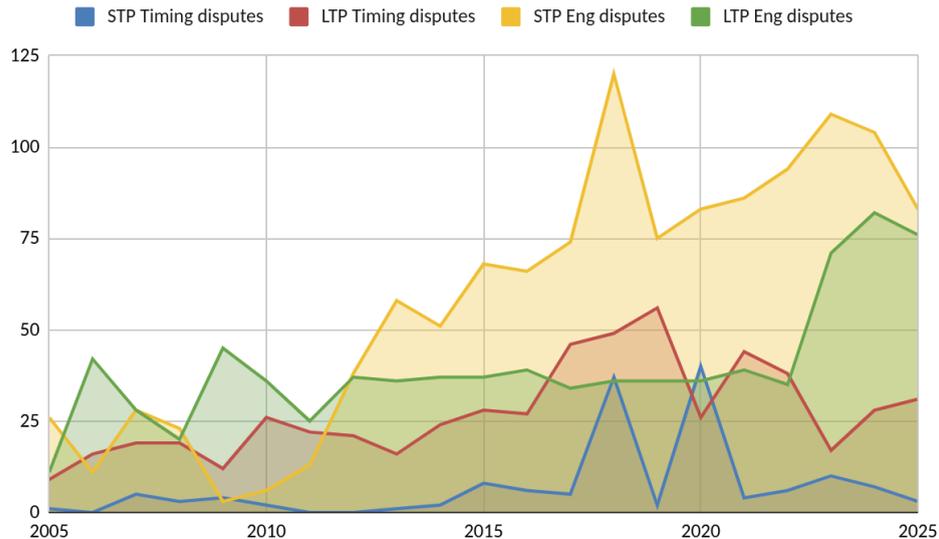
### Timetabling Dispute (TTP) analysis

5. Overall, and despite developing changes in industry structure, TTP numbers remain relatively evenly split between future GBR operators (54.5%), and non-GBR operators (freight 28%, concession / devolved passenger TOCs 17%, open access 0.5%, respectively).
6. The two charts in this section show how the number and outcomes of TTPs have changed over time, in terms of disputes registered (engineering access vs. timing disputes, ‘LTP’ (Network Rail decisions issued prior to T-26, or affecting the WTT) vs. ‘STP’ (Network Rail decisions issued after

T-26)), and hearings which have been requested and then gone through to determination. A large number of hearings requested are settled before the hearing day.



7. New disputes and determined disputes have started to increase again (year-on-year). Whilst not reaching the same record levels as in 2024, 2025 has seen high numbers of hearing requests. The last three years of TTPs account for three of the top four years in terms of timetable hearings requested. It's difficult to pinpoint a single underlying cause. Seven of the nine determined disputes in 2025 related to Working Timetable issues, such as the May and December timetable changes, rejected Train Operator Variation Requests and removal of Train Slots, with a variety of outcomes (NR decisions upheld, or overturned).
8. There were 23 TTPs where a hearing was requested during 2025, of which 9 went all the way to determination. Unusually, half of the hearings requested in 2025 related to timing issues (the Working Timetable (WTT), Train Operator Variation Requests (TOVRs), the Informed Traveller Offer at T-12). Underlying reasons for this change include: the major December 2025 WTT changes; movement of freight traffic from Felixstowe to London Gateway, necessitating multiple TOVRs; lack of capacity studies for engineering access leading to short notice timetable disputes.
9. Two TTP determinations were appealed to ORR this year (TTP2591 and TTP2613). Both were upheld, with ORR issuing guidance to industry relating to TTP2613.
10. 83% of disputes registered during 2025 related to engineering access. The increase in 'LTP' engineering access disputes (against the Engineering Access Statement / Advanced Register of Possessions) is mainly due to Section 4 engineering access now forming a separate publication, and therefore an additional disputable publication, rather than any underlying issue with projects or maintenance.
11. 'STP' (T-26 and later) engineering access disputes remain high, but still below the peak seen in 2018 (see graph below). There have been fewer late notice engineering access disputes, compared to previous years, and higher numbers of CPPP disputes. The reason most frequently given by operators for disputing the CPPP is lack of understanding as to impact on services; information which Network Rail is required to provide under Network Code Part D3.4.10(b).



12. Parties are strongly encouraged to settle issues, through constructive dialogue, as soon as possible in order to avoid the industry incurring abortive costs. In particular, whilst Hearing Chairs remain encouraged by the high settlement rates prior to a hearing, it is extremely undesirable for practical timetabling solutions or compromises, which were always possible, to be proposed, or agreed upon, the day prior to, or the day of, a hearing.
13. Preparing for a hearing concentrates minds and can often lead to a solution being identified without needing to have the case presented at a hearing. For those disputes where a hearing has been arranged, the Hearing Chairs are committed to combining the application of the ADR Rules with recognised legal practice in order to provide efficient case management; in many cases, directions from the Hearing Chair or a request for further information have helped parties to recognise a way forward and settle their differences.
14. The Committee is keen that lessons learned from previous hearings are enacted and, following guidance from the Hearing Chairs, has compiled a list of points of learning or suggestions from recent determinations that might be of assistance to the industry. This is a live document and the Committee expects that it may lead to, for example, Proposals for Change to the Network Code being submitted for industry consideration.
15. ADR Rule J3(h) requires the Committee to satisfy itself that the Principles (as set out in Rules A5 – A10) are being observed in the way in which disputes are being managed and determined. Having sought and considered the professional view of the Allocation Chair (Professor Richard Butler) in this regard, together with feedback received by Committee members and their own individual experiences under the Rules, the Committee remains suitably satisfied.

**Dispute references - HS1**

16. No disputes have been registered under the HS1 Access Dispute Resolution Rules during 2025.

**Dispute references – Heathrow Airport (HAL)**

17. No disputes have been registered under the HAL Access Dispute Resolution Rules during 2025.

### **Dispute references – Core Valley Lines (CVL)**

18. Four disputes have been registered under the CVL Access Dispute Resolution Rules during 2025, and three, including the remaining live dispute from 2024, have since been withdrawn.

### **Dispute references – Crossrail Central Operating Section (CCOS)**

19. No disputes have been registered under the CCOS Access Dispute Resolution Rules during 2025.

### **Dispute references – Nexus Metro network (Metro)**

20. No disputes have been registered under the Metro Access Dispute Resolution Rules during 2025.

### **Communications**

21. The Committee's website ([www.accessdisputesrail.org](http://www.accessdisputesrail.org)) provides a ready source of reference material whilst also containing downloadable templates for use in connection with dispute procedures. The website is updated promptly following a change in any item of information.
22. Comments regarding the annual report, the website and Committee matters in general are encouraged and may be passed to the Committee Secretary, Tamzin Cloke (email: [secretary@accessdisputesrail.org](mailto:secretary@accessdisputesrail.org), tel: 020 8050 3657).
23. Alternatively, a channel of communication is available through the Committee members who have been elected or appointed on behalf of areas of the industry; the current Committee members are listed at the back of this report along with details of the operators in the respective voting Classes/Bands as at December 2025.
24. The Committee provides briefing sessions to enhance familiarity of Resolution Service Parties with the ADR Rules and associated processes, for all types of disputes. Six sessions took place during 2025, and four further sessions have been scheduled for early 2026. Please contact the Committee Secretary for more information.

### **Administration**

25. Disputes-related holiday and emergency cover continues to be provided on an ad-hoc basis by Nigel Oatway, subject to his own availability.
26. The Committee members elect the Committee Chair from amongst their number, and in July Andy Wylie was re-elected to this role.
27. The Committee met three times in 2025.
28. Following abolition of the Rail Industry Disputes Resolution Committee and Council effective from 1 November 2015, the Committee became responsible for oversight of the CAHA Registrar and the Committee Secretary is deemed to act also as RIDR Secretary in any circumstances where that may become necessary. The current RIDR Rules can be found on this Committee's website.

## **Accommodation**

29. The Committee is happy to make its meeting facilities available for the benefit of the industry and readers are reminded that its offices, conveniently situated between Paddington and Edgware Road stations, may be found to offer a cost-free alternative to booking meeting rooms in Central London. The Committee also offers free hot desking facilities on a limited basis to rail industry employees on Tuesdays to Thursdays – please contact the Committee Secretary regarding facilities and availability.

## **Finance**

30. Prior to the release of provisions, net audited expenditure in the Financial Year to 31 March 2025 was £282,688 which was met from reserve funds, accumulated due to lower spend against budget in the past few years. Reserves were used for making 2025/26 pre-payments and to meet cashflow requirements for the new 2025/26 Financial Year. Eighteen 2025/26 levy payments were outstanding on 31 December 2025, comprising £1,170 in total.

31. The Committee does not expect to increase its overall funding requirement when issuing the levy invoices to resolution service parties for 2026/27.

**On behalf of the Committee**

**Andy Wylie  
Committee Chair**

**11 February 2026**

**Committee members (as at 31 December 2025)**

<u>Class/Band</u>	<u>Member</u>	<u>Company</u>	<u>Telephone</u>
Franchised Passenger Class, Band 1	Raj Patel	Govia Thameslink Railway	07975 603552
Franchised Passenger Class, Band 2	Kate Oldroyd	Northern Trains	07342 066142
Franchised Passenger Class, Band 3	Jonathan James	MTR (Crossrail)	07901 115202
Non-Franchised Passenger Class	Andy Wylie	Hull Trains	07881 510021
Non-Passenger Class, Band 1	Ian Kapur	GB Railfreight	07818 421220
Non-Passenger Class, Band 2	Chris Matthews	Freightliner	07866 152753
Network Rail	TBC	Network Rail	TBC
Network Rail	Matt Allen	Network Rail	07734 282514

## **Operators by Class and Band (as at December 2025)**

Franchised Passenger Class, Band 1: First Trenitalia West Coast Rail; Govia Thameslink Railway; ScotRail Trains; South Western Railway.

Franchised Passenger Class, Band 2: First Greater Western; GA Trains; London North Eastern Railway; Northern Trains; SE Trains; West Midlands Trains

Franchised Passenger Class, Band 3: Arriva Rail London; c2c Railway; Caledonian Sleeper; The Chiltern Railway Company; GTS Rail Operations; Merseyrail Electrics 2002; TransPennine Trains; Transport for Wales; Transport UK East Midlands; XC Trains

Non-Franchised Passenger Class: Chinnor & Princes Risborough Railway; Nexus (Tyne and Wear PTE); East Coast Trains; Eurostar International; Ffestiniog Railway; First Rail Stirling; First Rail Wales & Western; Grand Central Railway Co; Heathrow Express Operating Co; Hull Trains Co; Locomotive Services (TOC); North Yorkshire Moors Railway; Peak Rail; Rail Express Systems; South Yorkshire Future Trams; Vintage Trains; West Coast Railway Co.

Non-Passenger Class, Band 1: DB Cargo (UK); GB Railfreight; Freightliner Heavy Haul.

Non-Passenger Class, Band 2: Colas Rail; Devon & Cornwall Railways; Direct Rail Services; Europhoenix; Freightliner; Harsco Rail; Hanson and Hall Rail Service Solutions; Loram UK; Rail Operations Group; RailAdventure; Varamis Ltd; Victa Railfreight