

**THE OFFICE OF RAIL AND ROAD
177TH BOARD MEETING
15 December 2020, 09:00 – 10:30
By MS Teams**

Non-executive members: Declan Collier (Chair), Stephen Glaister, Madeleine Hallward, Anne Heal, Bob Holland, Michael Luger, Justin McCracken, Graham Mather

Executive members: John Larkinson (Chief Executive), Graham Richards (Director, Planning and Performance); Ian Prosser (Director, Railway Safety)

In attendance: Dan Brown (Director, Economics, Markets and Strategy), Russell Grossman (Director of Communications), Freya Guinness (Director, Corporate Operations), Juliet Lazarus (General Counsel), Tess Sanford (Board Secretary)

Item 1 WELCOME AND APOLOGIES FOR ABSENCE

1. The chair welcomed everyone to this ninth video-conference meeting of the ORR Board.
2. There were no apologies.

Item 2 DECLARATIONS OF INTEREST

3. No new interests were declared.

Item 3 APPROVAL OF PREVIOUS MINUTES AND MATTERS ARISING

4. The board noted some corrections to the minutes of the November meeting and approved them.
5. The board noted the updated action list.

Item 4 CHIEF INSPECTOR'S MONTHLY REPORT

6. Ian Prosser updated the board on two recent incidents: a fatality at Eastleigh Longway depot which would [be](#) investigated by the HSE as the workplace is a factory setting. The second incident was a Covid outbreak in Derby NR EMCC where a cluster of 15 cases had occurred, mostly among the signallers. Although this had been managed without impact on the service, it might be a RIDDOR incident as contagion had occurred in the workplace.
7. Ian also reported on progress with investigations including Margam and derailments in Wales and Sheffield. Improvement Notices had been served on Cleshars in relation to the fatal incident last year at Waterloo, and West Coast Rail in relation to safe dispatch.
8. He reported on a successful online event *Rail Wellbeing Live*, including a well attended session by Katherine Gibb on fatigue management – covering ORR's expectations in relation to staff fatigue.
9. Ian said that training for inspectors on high integrity software had started and will be rolled out for inspectors in the next year.

10. Finally he reported on discussions with NR, RSSB and DfT around value for money, effective options to address un-electrified parts of the network in the south east (the 'diesel islands').
11. The board noted the previous day's discussion at HSRC with LUL and particularly their report of an incident of 150m of retaining wall collapse on the District Line which had implications for safety on the network and read-across to asset condition management for both NR and HE. IP would be reviewing the LUL internal investigation and expected to include details on the incident in his January report to the Board.

Item 5 CHIEF EXECUTIVE'S REPORT

12. John Larkinson briefed the board on a number of issues.
This report is redacted from the published version as time-sensitive and covering confidential issues.

Item 6 HIGHWAYS

27. Graham Richards reported that Highways England had achieved a good settlement from the spending review, receiving all they asked for plus £144m for the A66. It was reported that an interim CEO would be appointed pending the appointment of a permanent successor to Jim O'Sullivan, who leaves at the end of January.
28. On Smart Motorways, Graham reported that ORR had agreed with HE how it would monitor the delivery of planned safety measures. There was also a requirement that HE should gather data to inform future improvements.
29. The board discussed the risks to both the road and rail networks around the Christmas period in the event of any disruption from weather, high volumes of traffic and, this year, the changing traffic flows to Europe.
30. On highways, the board was content that it had, through the Highways Committee done as much as it could to test HE's winter preparations and received a positive response to its challenge. The issue had also been discussed at a trilateral meeting with DfT and HE.
31. John Larkinson described the scale of DfT's operation to support winter preparations, including the secondment of some staff from ORR. The board noted the additional risk that DfT's strong focus on preparing for possible disruption and the movement of staff to deal with it, might disrupt the delivery of business as usual for the department.
32. ORR would have staff in key areas over the holiday period ensuring that inspectors and others were visible on the networks as usual. Usual holiday period preparations to respond to emerging issues were in place though it was recognised that there was a much higher risk of major disruption than usual.
33. The board noted that the Secretary of State had asked Peter Hendy to take on oversight of the overall risks of disruption on the transport networks.

Item 7 ORAL UPDATES FROM ADVISORY PANELS, AND FEEDBACK FROM BOARD COMMITTEES

34. Justin McCracken briefed the board on the meeting of the HSRC the day before. The Committee had heard from Andy Lord MD of LUL, and the Heads of H&S for TfL and LUL. The visitors had discussed the challenges facing TfL and LUL, including financial pressures and safety challenges. This had been a positive discussion in terms of attitude, leadership and the apparently healthy relationship between ORR's inspectorate and LUL. The committee had been particularly pleased to hear a commitment to maintaining asset condition for safety, but recognised that financial pressures would make this very challenging. Other papers included a report on changes to the annual internal review of industry risk which drives how RSD resources are focused in each year. The meeting also considered the prior role review (PRR) in relation to the Carmont derailment. This report had been very thorough covering over 10 years and found that ORR had done everything it could on relevant matters. It had also noted that there had been good, joined up regulation of assets across the office (safety, engineering and finance). The Executive would consider the recommendations the report made on internal improvements. The chair noted that the completion of a PRR said a lot about the culture of the organisation and willingness to critically review our own performance.
35. Anne Heal reported on a meeting of the consumer panel. The meeting had considered an update on the 'smarter information programme', a major project which was being jointly developed by RDG/TOCs/NR. This was a very ambitious and highly collaborative project to join up information services for consumer benefit. Although the project was not yet fully funded progress to date was encouraging. [Action – 12/03: final report to be circulated to the whole board when received]. The committee had also considered papers on preparations for the NR stakeholder engagement survey and TOC charges for admin fees. The board noted that recruitment was now under way to refresh panel membership and, hopefully, to improve the diversity of its individual members.

Item 14 ANY OTHER BUSINESS

36. The board noted the draft forward programme for 2021.
37. Michael Luger reported that he had sat on a recruitment panel for non-executive members of the Vehicle Certification Agency.
38. The Chair thanked everyone for their hard work in a difficult and unprecedented year. Overall it had been a very positive year for the board and members had engaged in a wide range of issues. Overall ORR had made good progress.

All executive attendees except the Board Secretary left the meeting

Item 15 NON EXECUTIVE DISCUSSION

39. The chair briefed the non-executive members on CEO recruitment.