

THE OFFICE OF RAIL AND ROAD
233rd BOARD MEETING
Tuesday 22 July 2025, 09:00 – 13:45
At ORR, 25 Cabot Square, London, E14 4QZ

Non-executive members: Declan Collier (Chair), Xavier Brice, Ian Dobbs, Madeleine Hallward, Anne Heal, Justin McCracken, Daniel Ruiz.

Executive members: John Larkinson (Chief Executive), Richard Hines (Director of Railway Safety).

In attendance: Jake Brown (Deputy Director, Legal), Fiona Bywaters (Board Secretary), Will Godfrey (Director of Economics, Finance and Markets), Russell Grossman (Director of Communications), Liz Herridge (Chief Operating Officer), Graham Richards (Director, TfL Analysis), Stephanie Tobyn (Director, Strategy, Policy and Reform).

Other ORR staff who attended are shown in the minutes.

Item 1 WELCOME AND APOLOGIES FOR ABSENCE

1. The Chair welcomed everyone to the meeting. Apologies for absence were received on behalf of Catherine Waller (Non-Executive Director), as well as Feras Alshaker (Director, Planning and Performance) and Liz Thornhill (General Counsel, for whom Jake Brown attended as substitute).

Item 2 DECLARATIONS OF INTEREST

2. There were no declarations of interest.

Item 3 APPROVAL OF PREVIOUS MINUTES AND MATTERS ARISING

3. The minutes of the meeting held on 24 June 2025 were approved.
4. A brief update was provided on actions arising and completed from previous meetings.
5. The Board noted the decision taken in correspondence since the last meeting which approved the annual report and accounts 2024-25 for recommendation to the Accounting Officer (before being published and laid in Parliament).

Item 4 CHIEF INSPECTOR'S MONTHLY REPORT

6. Richard Hines (RH) introduced the report, and provided an oral update referring to:
 - Two fatal accidents at level crossings, namely at West Rounton (Yorkshire) and Teynham (Kent), for which there were currently thought to be no suggestion of railway failings;

The following bullet point is redacted as relating to information otherwise thought to be sensitive:

- [...];

The following bullet point is redated as relating to proposed or ongoing enforcement action:

- [...];
 - A decision not to prosecute further to the apparent breach of a prohibition notice served against West Coast Railways (WCR), due to evidential insufficiency; and
 - An upcoming 'health-check' of all open investigations over the Summer, with the intention of analysing findings and driving improvements.
7. The Board discussed the reasons behind the evidential insufficiency in the decision not to prosecute WCR, expressing its concerns around timeliness of investigations and implications on corporate risks.
8. Further update from RH covered:
- Safety considerations associated with planned events for Railway 200;
 - A maintained focus on overspeeding risk, following a pattern of three incidents over the last three years on the East Coast Mainline, where the Director of Railway Safety intended to write to Network Rail on the progress of RAIB recommendations; and
 - Submission of a dossier to the Intergovernmental Commission by Eurotunnel in order to transport heavy goods vehicles powered by Liquefied Natural Gas (LNG). The dossier was now under assessment and further update would be provided to the Health and Safety Regulatory Committee (HSRC) as part of the biannual update on Channel Tunnel matters.
9. Following questions from the Board, further discussion focussed on:
- The RAIB recommendations further to the above overspeeding incidents and the need for measurable improvement;
 - Feedback on the Light Rail Safety and Standards Board's (LRSSB) draft revisions to guidance on non-motorised user crossings, and how this would be monitored via existing liaison mechanisms;
 - DfT's announcement of plans to reform railway technical standards, and the different roles of RSSB, RAIB and ORR.
 - The derailment of an empty West Midlands Trains train at Denbigh Hall South Junction, near Bletchley (June 2025), and likely human error in the signalling scenario to manoeuvre the train;
 - International engagement on safety-related matters, and provisions for payment accordingly (for providing support or advice);
 - Engagement with Network Rail further to the Audenshaw freight train derailment (with further update to follow in the September board report); and
 - Engagement with Eurostar and Govia Thameslink Railway (GTR) further to stranded train incidents and whether lessons had been learned to

improve the overall recovery process and passenger experience. The Board noted a further workshop on stranded trains due to take place with industry in October.

Item 5 CHIEF EXECUTIVE'S REPORT

This report is redacted from the published version as time-sensitive and covering confidential issues.

10. [...]

11. [...]

Item 6 RAIL REFORM UPDATE [ORAL UPDATE]

This report is redacted from the published version as disclosure is thought likely to prejudice the effective conduct of ORR's affairs because it relates to uncompleted policy development.

[...]

Item 7 NATIONAL HIGHWAYS PERFORMANCE

16. Rachel Gittens (RG) introduced the report, and provided an oral update that DfT no longer planned to publish the draft Road Investment Strategy (RIS) in mid-July 2025, but more likely in mid-August subject to ongoing liaison with HM Treasury.

17. Following questions from the Board, discussion focussed on:

- The interaction of timelines for funding of the RIS, resource spending and the Spending Review;
- The delays in receipt of data (from the DfT to National Highways) in relation to the 'Strategic Road Network 2023 Safety Overview Report';
- The positive reception of the Annual Assessment of National Highways and ongoing stakeholder engagement with the Board of National Highways; and
- ORR's programme for delivering the Efficiency Review advice to DfT by the end of November 2025.

The following paragraph is redacted due to legal privilege:

18. [...]

19. **The Board noted the contents of the performance update.**

Item 8 QUARTERLY BUSINESS REVIEW 2025-26 – QUARTER 1

Lucy Doubleday (Associate Director – Finance and Governance) joined the meeting for item 8.

20. Graham Richards (GR) introduced the report, supported by Lucy Doubleday (LD). Particular reference was made to a change in approach to forecasting, earlier reallocation of budget, pay underspend, and a pipeline of projects currently under assessment for feasibility and value for money. It was confirmed that business plan commitments for the quarter had been met and all service standards but one (due to technical issues which had since been resolved with the standard now reached).
21. Following questions from the Board, discussion focussed on:
 - Expenditure of the outstanding In-Year Award budget (by end-July);
 - The positive level of apprenticeships within ORR;
 - Monitoring of workplace attendance and any potential overlap with performance;
 - Planned expenditure of additional funds allocated via the Spending Review.
22. Consideration was also given to the high number of vacancies at present and means to resolve or find temporary resource in order to mitigate any impact on capacity. Discussion focussed on adequate resourcing of those responsible for recruitment, the measurement and analysis of potential process delays, the implications of internal promotion (leading to a subsequent vacancy), and workforce planning measures. The Board welcomed the deep-dive into recruitment proposed by the incoming Chief Operating Officer (which could then be discussed at the People Committee).

Item 9 EAST COAST MAIN LINE OPEN ACCESS DECISIONS UNDER SECTION 22A OF THE RAILWAYS ACT 1993

Steve Helfet (Deputy Director – Railway Operations, via MS Teams), Gareth Clancy (Head of Access and Licensing), Emyl Lewicki (Head of Freight and Open Access, via MS Teams) and Siân Jefferies (Senior Legal Adviser, via MS Teams) joined the meeting for item 9.

The following paragraph is redacted due to legal privilege:

23. [...]
24. Stephanie Tobyn (ST) introduced the wider context to the report with reference to timetable implementation, as well as the complexity, capacity, and performance monitoring of the ECML.
25. The Board considered each application in turn, with an overview provided on each application by Gareth Clancy (GC):
Grand Central – various additional services
26. Additional explanation was provided with regards to what was meant by contingent and time-limited access rights: Network Rail must first

accommodate firm rights held by operators and contingent rights are only accommodated if there is space after all firm rights are dealt with, and therefore give operators less certainty.

27. The aspects of the application recommended for approval were confirmed to have no capacity constraints as they did not impact on the main high-speed route and were able to be accommodated in the December 2025 ECML timetable. In addition, they were reported to pass the NPA test with a small level of absolute abstraction.
28. **The Board resolved that the full application as submitted be partially approved with contingent rights granted for:**
 - a. **two additional Wakefield Kirkgate – Bradford Interchange on a weekday and Saturday;**
 - b. **one additional Bradford Interchange – Wakefield Kirkgate on a weekday and Saturday;**
 - c. **one additional Bradford Interchange – Wakefield Kirkgate in each direction on a Sunday.**
 - d. **time-limited rights to some Seaham calls on existing services for 12 months.**

Hull Trains – London-Sheffield

29. Additional explanation was provided with regards to capacity constraints of the December 2025 ECML timetable. The Board further considered ECML timetable performance analysis, noting in particular the significant pinch points at York and Welwyn (Viaduct) in the south, as well as the sections of route declared congested between Huntingdon and Peterborough, Doncaster and Leeds, and Northallerton and Newcastle.
30. The Board referred to the proposed use of diesel rolling stock if access rights were granted, but GC confirmed that CO₂ impact was not a consideration in determining the application.
31. The Board noted that the application was unsupported in its entirety by Network Rail on performance grounds (with which ORR agreed) and did not pass the NPA test.
32. **The Board resolved that the Hull Trains – London-Sheffield application be rejected.**

Hull Trains – additional London-Hull services

33. Additional explanation was provided with regards to the accommodation of one northbound path, but not the return southbound path (which was not included in the proposed December 2025 ECML timetable and would impact on the capacity pinch point at Welwyn with a detriment to performance).
34. It was confirmed that there was no operational reason precluding the granting of access rights for the northbound path alone as Hull Trains had confirmed that they could run the additional service in one direction.
35. The Board noted that the subset included in the December 2025 ECML timetable passed the NPA test and had a small level of absolute abstraction.

36. **The Board resolved that the full application as submitted be partially approved with rights granted for one additional London to Hull service Monday-Saturday.**

Lumo EC – additional London-Newcastle services

37. Additional explanation confirmed that the services could be accommodated in the December 2025 ECML timetable and that the NPA test was passed with the level of absolute abstraction within the range previously approved. The Board noted however, the sensitivity of the NPA test in this instance to Lumo's fare-pricing model (in relation to LNER).

38. **The Board resolved that the full application as submitted be approved in its entirety for:**

- a. **one return London-Newcastle on weekdays;**
- b. **one Newcastle-London Saturday;**
- c. **one London – Newcastle Sunday**

Lumo EC – Edinburgh-Glasgow extensions

39. Additional explanation confirmed that in terms of capacity, Network Rail had stated it could partially accommodate the application (an assessment with which ORR agreed), and that the rights would be extensions of existing services. Not all extensions could be accommodated, but Lumo EC had confirmed that it was content to accept and operate this level of service.
40. The Board noted that the subset of Lumo's Glasgow application that is included in the ECML December 2025 timetable passed the NPA test and the level of absolute abstraction was well within a range previously approved by the Board.
41. **The Board resolved that the application be approved for:**
- a. **Edinburgh to Glasgow: extension of two weekday and one Sunday existing services; and**
 - b. **Glasgow to Edinburgh: extension of one weekday, and one Sunday existing services.**

Item 10 ANNUAL REPORT ON LONDON ST PANCRA'S HIGH SPEED

Howard Taylor (Head of Capital Investments) and Debbie Daniels (Delivery Manager) joined the meeting for item 10.

42. Will Godfrey (WG) briefly introduced the report, in the absence of the Executive Sponsor, with reference to the year in question being the last of Control Period 3. Feedback was sought from the Board on how best to convey mixed performance via the key messages.
43. The Board discussed that London St Pancras Highspeed (LSPH) had missed its two health and safety targets (moving annual average Fatalities and Weighted serious Injuries – for workforce and public safety). Consideration was given to the drivers behind the missed targets, noting a connection to asset management maturity in respect of one incident.

44. The Board suggested that the health and safety messaging be framed around expectations of asset management, with an emphasis on the passenger and accessibility.
45. The Board was otherwise content with the key messages outlined in the report and noted the subsequent submission to the Secretary of State and publication on ORR's website by the end of the month.

Item 11 HOLDING LONDON ST PANCRAS HIGHSPEED TO ACCOUNT

Howard Taylor (Head of Capital Investments) and Debbie Daniels (Delivery Manager) remained in the meeting for item 11.

46. Will Godfrey (WG) briefly introduced the report, in the absence of the Executive Sponsor.
47. The Board noted that as part of the consultation on the holding to account policy, consultees had been invited to make suggestions on how regulatory burden may be reduced (by 25%), further to the challenge of HM Treasury. Operators had not provided any explicit suggestions, but noted their concern if there was a reduction in regulatory powers or oversight. It was reported that DfT had also recognised the efficiencies already brought about in transferring duties for stations regulation to ORR.
48. The Board enquired as to stakeholder engagement and working relationships with LSPH, which were said to be positive and constructive.
49. The Board considered the responses of stakeholders and noted that the conclusions from that consultation, and a new policy for holding London St Pancras Highspeed to account (without material change), would be published.

Item 12 REPORTS FROM COMMITTEES

50. Justin McCracken reported on the meeting of the Health and Safety Regulation Committee held on 30 June 2025. The Committee had discussed, among other matters:
 - The Chief Inspector's quarterly report, with a focus on ORR's oversight of Network Rail's response to the Audenshaw freight derailment;
 - A request for information reviewing ORR's approach to regulating signallers and signalling (in the light of changes to signalling systems across the network) and considering actions appropriate for an intervention;
 - Capability within the Railway Safety Directorate and the importance of having suitable cadre of trainee inspectors, with further update expected toward the end of the year;
 - A report on reforming the Train Driver Licences and Certificates Regulations 2010; and
 - A discussion on a paper anticipated at the September meeting around keeping the Board engaged with safety investigations.

51. Information had also been circulated below the line regarding the implementation of recommendations from the draft Talerddig Prior Role Review.
52. Anne Heal reported on the meeting of the Consumer Expert Panel held on 2 July 2025. The Panel had discussed, among other matters:
 - The recent Revenue Protection Review undertaken by ORR;
 - An update on work related to stranded trains, for which the next workshop was due to take place in October;
 - The communication and recording of passenger assistance requests by Train Operating Companies, as well as a consultation on rail assistance benchmarking and opportunities for data comparison;
 - Developments in redress requirements under the Accessible Travel Policy; and
 - A newly-introduced horizon scanning item, which in this instance had considered the impact of climate change on passengers, and what passengers would see – and when – as a result of rail reform.
53. Daniel Ruiz reported on the meetings of the Audit and Risk Committee held on 30 June and 21 July 2025. The Committee had discussed, among other matters:
 - The recommendation of the annual report and accounts to the Board (for recommendation to the Accounting Officer);
 - That there were no financial irregularities or whistleblowing disclosures to report;
 - Progress on the internal audit plan, including the anticipated report on budget management;
 - An action underway for the internal auditors to produce an assurance map capturing areas not due for internal audit for some time, and where the (second line) assurance would be provided;
 - The refreshed presentation of the corporate risk register; and
 - The quarterly IT and security update, which had covered phishing exercises and an incident review.

Item 13 ANY OTHER BUSINESS

54. The Board noted the dates of the next meetings and items below the line, namely: the Board forward programme; committee minutes approved since the last meeting and the Quarter 1 Risk Report (presented to Audit and Risk Committee), as well as the mid-year Strategic Risk Register.
55. The Chair provided a brief update regarding ongoing NED recruitment and a recent meeting with the newly-appointed DfT Deputy Director for Public Appointments and the Public Bodies Centre of Excellence. A meeting scheduled for that day with the newly-appointed Permanent Secretary of DfT had been postponed.

Item 14 REFLECTION ON THE MEETING

56. Following the departure of the Executive in attendance, the Board Members then evaluated the effectiveness of the meeting.

Meeting end: 1.24pm
Approved: 23 September 2025