

THE OFFICE OF RAIL AND ROAD

235th BOARD MEETING

Tuesday 21 October 2025, 09:00 – 13:55

At ORR, 25 Cabot Square, London, E14 4QZ

Non-executive members: Declan Collier (Chair), Xavier Brice, Ian Dobbs, Madeleine Hallward (via MS Teams), Anne Heal, Catherine Waller.

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

In attendance: Feras Alshaker (Director of Planning and Performance), Fiona Bywaters (Board Secretary), Will Godfrey (Director of Economics, Finance and Markets), Liz Herridge (Chief Operating Officer), Graham Richards (Director, TfL Analysis), Liz Thornhill (General Counsel) Stephanie Tobyn (Director, Strategy, Policy and Reform).

Observer: Jo Clift (RedQuadrant).

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 Daniel Ruiz (Non-Executive Director).

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 23 September 2025 were approved.
4. A brief update was provided on actions arising and completed from previous meetings. Action 01/04 had been completed since the circulation of the agenda, with external guests (Network Rail) invited to the Board in March 2026.
5. As per Board Procedure Rule 35, the Board noted a decision undertaken by correspondence since the last meeting, namely that relating to SCS Performance 2024-25.

Item 4 TEMPLE MILLS INTERNATIONAL DEPOT – ACCESS DECISIONS UNDER S17 OF THE RAILWAYS ACT 1993

Martin Jones (Deputy Director, Access & International), Steve Helfet (Deputy Director, Railway Operations), and Tim Griffiths (Deputy Director - Economics and Finance) joined the meeting for item 4.

6. Stephanie Tobyn (ST) introduced the report and outlined the context of the decision. Liz Thornhill (LT) subsequently outlined the legal framework including the general duties applicable under section 4 of the Railways Act 1993. In particular, guidance was provided on interpretation of the following duties:
 - a. to promote use and development of the railway network to the greatest extent economically practicable (pointing towards the most credible and viable plan to make use of the capacity at the depot, and to a lesser extent, track capacity more generally);
 - b. to promote competition in the provision of railways services for the benefit of users (noting that the intention to provide services stopping in Kent did not necessarily promote competition, if there was overall a greater risk of failing to provide service under the business case); and
 - c. to have regard to Secretary of State guidance (noting correspondence from the Minister for Rail).
7. The Board received assurance from LT that a robust process had been followed and were reminded that the decision scope focused on access to the Temple Mills International (TMI) Depot under section 17 of the Railways Act 1993.
8. Given the wider stakeholder interest, Martin Jones (MJ) also provided a brief overview of current services to Stratford, Ebbsfleet and Ashford stations by way of background. The introduction concluded with reference to the report recommendations.
9. The Board noted in the report that:
 - a. external consultants had been commissioned to assess the operational aspects of each application and Eurostar International Limited (EIL), including performance impacts on operations at TMI; and
 - b. ORR had carried out an economic analysis of operators' and EIL's proposals to inform a view on financial viability and on the economic and social benefits of additional train services proposed to be facilitated by the use of available capacity at TMI.
10. Following brief questions of clarification, the Board proceeded to consider the applicants' cases (given that available capacity had been established) as well as EIL's submitted plans for use of TMI (as the sole operator at present).
11. In discussion, the Board considered:
 - That depot capacity had been established via independent reporting;
 - Evidence of capacity on the HS1 network, noting that the area of infrastructure concerned was not considered congested;
 - Interpretation and weighting of the most relevant section 4 duties (namely to promote use and development of the railway network to the greatest extent economically practicable; to promote competition in the provision of railways services for the benefit of users; and to have regard to Secretary of State guidance);

- The traffic generation required by a new operator to avoid negatively impacting existing EIL services and risking the withdrawal of some services;
 - The methodology behind the independent reports evidencing capacity and performance assessment, and the operational constraint where train length exceeds the 400m road length available at TMI. This was noted, but not considered as a determining factor.
 - Prior examples of depot-sharing by two different operators;
 - Analysis of the business cases provided, including the anticipated growth outlined by EIL and resilience to cost or revenue forecasts not being realised.
12. The Board considered its duties and the recommendations of the report in the agenda, as well as the overview outlining the assessment of each operator against the decision criteria proposed. This summarised the number of new services proposed, destinations served, availability of capacity, performance, operational readiness and viability, financial viability, and economic and societal benefits associated with the applications.
13. The Board considered that considerable weight should be placed on the duty to promote competition, which favoured new access to TMI. On the evidence provided, it was felt that the strongest prospect of making best use of capacity at TMI, and of introducing competition to the market, was presented by Virgin Trains Europe Holdings Limited (VTE).
14. **The Board resolved that:**
- a. **The application for access to Temple Mills International (TMI) depot of Virgin Trains Europe Holdings Limited (VTE) be approved, on the basis that capacity at TMI is sufficient to accommodate the maintenance services VTE has applied to access and it has the strongest prospects of making best use of the capacity at TMI and introducing competition to the market; and**
 - b. **The applications for access to TMI of Evolyn, Gemini and Trenitalia be rejected, on the basis that there is not sufficient capacity at TMI to accommodate them in addition to VTE (and EIL's own use).**
15. The Board underlined the importance of effective communication of the decision and requested that the decision letter and press release be circulated ahead of issue **[Action 10/01]**. Further information was provided as to how affected stakeholders would be informed and when.

Item 5 CHIEF INSPECTOR'S QUARTERLY REPORT

16. Richard Hines (RH) introduced the report, with particular attention drawn to:
- The successful outcome from work with dutyholders to facilitate the safe operation of a 'Locomotion 1' replica on the Stockton and Darlington mainline railway for a Rail 200 celebratory event.

- The recent prosecution of First Great Western Limited following a passenger fatality at Twerton involving a carriage drop-light window, noting the risk control improvements that had been made on the mainline railway since through response to RAIB recommendations. The variable risk profile that remains for the heritage railways – given the diversity of operations / network etc. across the sector – was also noted. Consideration was given to vegetation management and the potential for technology to mitigate this risk.

Redact the following bullet point as it relates to proposed or ongoing enforcement action:

- [...]
- ORR representation at the Saudi International Rail event in Riyadh.
- Preparation for the Carmont Fatal Accident Inquiry in early 2026.
- Details of changes being made by the Rail Safety and Standards Board (RSSB) to the railway standards committee governance framework which would be signed off by the Director of Railway Safety given that these matters were not considered to be ‘novel and contentious’.

17. Oral update was provided with regard to:

Redact the following bullet point as it relates to proposed or ongoing enforcement action:

- [...]
- A recent incident under investigation where a child had been struck by a tram at a Metrolink stop in south Manchester, resulting in serious injury.

Redact the following bullet point as it relates to proposed or ongoing enforcement action:

- [...]
- An upcoming meeting with the Minister and Lords regarding a proposed amendment to the Employment Rights Bill seeking to exempt heritage railways from a restriction in the Employment of Women, Young Persons and Children Act 1920.
- The recent follow-up event in relation to stranded trains, focussing on both safety and consumer aspects of such incidents, attended by Non-Executive Director Anne Heal.

The Board adjourned for a short break.

Item 6 CHIEF EXECUTIVE’S REPORT

Redact this report from the published version as time-sensitive and covering confidential issues.

18. [...]

19. [...]

Item 7A INTRODUCTION: EXTERNAL GUEST

20. John Larkinson introduced the context, referring to recent, and fast-moving, developments on rail reform ahead of the anticipated publication of draft legislation.

Item 7B EXTERNAL GUEST: MINISTER FOR RAIL

21. The Chair welcomed the Minister for Rail, Lord Hendy of Richmond Hill CBE, to the Board (via MS Teams) and invited him to speak. The Minister covered rail reform (including performance of the railway, improved revenue and reduced costs, and the proposal to establish a Passenger Standards Authority), open access, and the importance of safety.
22. During the session, the Board confirmed its support of enabling rail reform and discussed, among other items, the legislative pathway, ORR's future role and potential risks to delivery.
23. The Minister offered to attend a future meeting of the Board in early 2026, with the Board Secretariat to follow up in response **[Action 10/02]**.

Item 7C REFLECTION: EXTERNAL GUEST

24. The Board briefly reflected on the guest's contributions.

The Board adjourned for lunch.

Item 8 NATIONAL HIGHWAYS PERFORMANCE

25. Feras Alshaker (FA) introduced the report and provided an oral update referring to:
- Redact the following bullet point as information which is otherwise thought to be potentially sensitive:*
- [...]
 - Attendance by ORR at the Highways UK event.
 - Progress on the RIS3 efficiency review, highlighting the challenging timeline outlined at paragraph 6 of the report.
26. JL provided further update on personnel changes within the Department for Transport at Director level, further to a recent meeting with the departing Director General – Road Transport Group. The role would be filled by Conrad Bailey in the interim, in addition to his existing portfolio, and the date of a permanent replacement was currently unknown.
27. Following questions from the Board, discussion focussed on:
- Requests for supplementary information in the context of the efficiency review. The purpose of this was clarified as required in order to understand the evidence submitted rather than any additional burden.

- Concerns that National Highway's proposal to move away from quantified performance targets for safety and delay outcomes would dilute incentives and make it more challenging for ORR to hold it to account during RP3.
28. The Board accepted the challenging timeline to comment on the draft report of the efficiency review but suggested that time be allocated at the next board agenda for reflections.
29. The Board were reminded of the upcoming meeting with the National Highways Board on the 7 November. The Chair suggested that topics for discussion include the Lower Thames Crossing and the shift in focus to renewals in the next road period.
30. **The Board noted the contents of the performance update.**

Item 9 QUARTERLY BUSINESS REVIEW 2025-26 – QUARTER 2

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

31. Liz Herridge (LH) introduced the report, supported by Lucy Doubleday (LD).
32. Following questions from the Board, discussion focussed on:
- The service standard for train driver licensing renewals which had not been met for the second quarter in a row. A new train driver licensing portal had been introduced in August, with the missed target due to initial implementation difficulties which were now resolved.
 - The decline in workplace attendance and the challenges of interpreting associated data.
 - Efforts to reduce underspend, facilitated by a recent deepdive into recruitment which would support more effective pay forecasting. Reasonable confidence was expressed in forecast running costs and consultancy spend.

Item 10 REPORTS FROM COMMITTEES

33. Anne Heal reported on the meeting of the Consumer Expert Panel held on 8 October 2025. The Panel had discussed, among other matters:
- Accessible Travel Policy (ATP) Guidance – redress requirements;
 - Rail reform;
 - Impact of artificial intelligence on consumer matters;
 - The draft customer and delay action plan of National Highways; and
 - Nascent thinking into a market investigation on car parking at stations, noting associated challenges.
34. Anne Heal reported on the meeting of the People Committee held on 20 October 2025. The Committee had discussed, among other matters:
- NED recruitment and induction – which would be tailored accordingly once appointees were confirmed;

- The Quarter 2 People Pack, with a focus on workplace attendance, sickness absence, and long-term contractors;
 - Actions taken since the 2024 People Survey, which represented a substantial body of work;
 - Revised Trade Union terms of reference;
 - A recruitment deepdive which had been enlightening in terms of identifying the swift actions required by hiring managers when vacancies arise; and
 - Regular succession planning discussion, at the Senior Civil Servant level.
35. Richard Hines reported on the meeting of the Railway Industry Health and Safety Advisory Committee held on 20 October 2025. The Committee had discussed, among other matters:
- The recent attendance of Network Rail at a HSRC meeting; and
 - Presentations from the Heritage Railway Association and Freight Safe Steering Group.
36. **The Board noted the appointment of Ian Dobbs as the Chair of the Rail Industry Health and Safety Advisory Committee.**

Item 11 ANY OTHER BUSINESS

37. The Board noted the dates of the next meetings and items below the line, namely: the Board forward programme and committee minutes approved since the last meeting.
38. The Chair provided a brief update regarding ongoing NED recruitment.

Item 12 REFLECTION ON THE MEETING

39. Following the departure of the Executive in attendance, the Non-Executive Board Members then evaluated the effectiveness of the meeting.

Meeting end: 1.48pm
Approved: 25 November 2025