

THE OFFICE OF RAIL AND ROAD
239th BOARD MEETING
Tuesday 24 March 2026, 09:00 – 13:55
At ORR, 25 Cabot Square, London, E14 4QZ

Non-executive members: Declan Collier (Chair), Xavier Brice, Ian Dobbs, Madeleine Hallward, Anne Heal, Ann Metherrall, Daniel Ruiz, 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), Russell Grossman (Director of Communications), Liz Herridge (Chief Operating Officer), Graham Richards (Director, TfL Analysis), Liz Thornhill (General Counsel), 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.
2. Apologies for absence were received on behalf of Lindsey Fussell (Non-Executive Director). Apologies for lateness were received on behalf of Catherine Waller (who joined from item 5 to item 8 inclusive), whilst Anne Heal would need to leave during part of the meeting (from the end of item 4, returning during item 9).

Item 2 DECLARATIONS OF INTEREST

3. Brief reference was made to other previously declared interests, namely by Madeleine Hallward (MH) in relation to consultation for DP World (in the context of end-to-end logistics as well as highways functions).
4. No new declarations of interest were raised.

Item 3 APPROVAL OF PREVIOUS MINUTES AND MATTERS ARISING

5. The minutes of the meeting held on 24 February 2026 were approved.
6. A brief update was provided on actions arising and completed from previous meetings.

Item 4A INTRODUCTION: EXTERNAL GUESTS

7. John Larkinson (JL) introduced the context, referring to key points of the provided briefing, including asset management, working together constructively, the 'costs and benefits of safety' ('CABOS') work (integrating safety and economic perspectives), and establishment of Great British Railways.

Item 4B EXTERNAL GUESTS: NETWORK RAIL

8. The Chair welcomed Jeremy Westlake (Chief Executive), Paul Marshall (Chief Financial Officer) and Paul McMahon (Director, Planning & Regulation) of Network Rail, and invited them to speak to the presentation (provided in advance).
9. During the session, the Board discussed the drivers of recent performance improvement; clearer performance planning; asset sustainability, including the Composite Sustainability Index; progress with organisational integration and the establishment of integrated business units; collaboration and self-assurance between organisations; the application of the CABOS work; current and emerging safety issues, including level crossing incidents; and progress of the public ownership programme and cultural change under reform.

Item 4C REFLECTION: EXTERNAL GUESTS

10. The Board briefly reflected on the guests' contributions and discussed long-term asset sustainability and investment, pressures on asset condition, and the role of the regulator in providing clarity, assurance and a forward-looking focus for the industry. The Board proposed that previous convening work undertaken with Treasury and industry on asset renewal be reviewed, and that the feasibility of repeating this initiative be explored **[Action 03/01]**.

Item 5 CHIEF INSPECTOR'S QUARTERLY REPORT

Anne Heal departed, and Catherine Waller joined, the meeting.

11. Richard Hines (RH) introduced the report, referring to discussions at the meeting of the Health and Safety Regulation Committee (HSRC) the day prior, namely:
 - Network Rail's response to the joint intervention with Planning and Performance colleagues on structures;
 - Engagement with trade unions and the quality of working relationships; and
 - Feedback and improvement on the presentation of data and graphs within the regulatory deliverables section of the quarterly report.
12. Oral update from RH covered:
 - A fatal incident involving a Network Rail trackworker at Radlett, where the Board expressed its condolences to the family and friends of the deceased, and requested updates be provided as appropriate;
This bullet point is redacted from the published version due to ongoing regulatory engagement:
 - [...]; and

The text in square brackets is redacted from the published version due to sensitivity:

- Progress on enforcement and regulatory matters, in relation to the Audenshaw Improvement Notice; Avanti West Coast Improvement Notices [...] and Eurotunnel sentencing (now expected on 31 March).
13. Further legal updates relating to developments in the Margam inquest and Carmont Fatal Accident Inquiry were provided by Elizabeth Thornhill (ET).
14. Following questions from the Board, discussion focussed on:
- The importance of leadership and accountability for safe track access arrangements, including contractor and supply-chain interfaces;
 - The role and limits of technology in managing trackworker safety risks;
 - Any significance of clusters of incidents and near-misses, including how geographic or thematic risk concentrations are identified and responded to;
 - The Board suggested enhanced visibility of emerging risk profiles, near-miss intelligence, and areas of continuing concern, including how this feeds into cost-benefit judgements on health and safety interventions, could be provided via the quarterly report;
 - Concerns about repeat exemption applications for rolling stock and fairness to compliant operators; and
 - Wider issues relating to heritage railways, including 'driving experiences', complaint handling, and engagement with the Heritage Railway Association.

The Board adjourned for a short break.

Item 6 CHIEF EXECUTIVE'S REPORT

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

15. [...]

Item 6B RAIL REFORM [ORAL UPDATE]

18. Stephanie Tobyn (ST) provided a brief update on rail reform, noting a broadly positive response to the proposed design principles for the access appeals function. Further detail would not be published until later in the year, once the Bill had completed its passage through the House of Lords. ST also highlighted implications for access contracts, noting that Network Rail intended to replace existing agreements to reflect the new framework.
19. The Board discussed wider access issues, emphasising the importance of maintaining ORR's credibility as an independent arbiter by continuing to process open access applications consistently under existing policy (in the absence of any formal policy change relating to cumulative abstraction), and noted that applications were not being paused or withheld from the Board in

the absence of Departmental clarity (in response to the letter mentioned under item 6).

20. ST also referenced that work continued on licensing, with a desire for clearer licence provisions against which asset management performance could be measured, and on the Retail Code, with a programme of workshops planned with third-party retailers, acknowledging the sensitivities involved. The Board noted wider debate around the Passenger Watchdog, as to why it would not be granted enforcement powers.

Item 7 NATIONAL HIGHWAYS PERFORMANCE

21. Feras Alshaker (FA) introduced the report, referring to discussions at the meeting of the Highways Committee the day prior. It was confirmed that the Annual Assessment of Safety Performance on the Strategic Road Network (SRN) had been published the previous week, with the third Road Investment Strategy (RIS3) scheduled for publication later that week, upon which ORR would publish the Holding to Account policy and associated Efficiency Review. The committee had also considered renewals, including a monitoring letter due to be issued to National Highways by the end of the month.
22. **The Board noted the contents of the performance update.**

Item 8 LOWER THAMES CROSSING – PROPOSED STATUTORY DUTIES AND REGULATORY REGIME

Tim Griffiths (Deputy Director - Economics and Finance) joined the meeting for item 8.

23. Will Godfrey (WG) introduced the report and outlined ORR's emerging role, including in relation to the proposed statutory duties, the economic regulatory framework, funding and resourcing arrangements, and the respective roles and responsibilities of DfT, National Highways and the Lower Thames Crossing Company (LTC Co). WG emphasised the importance of building internal capability, developing the necessary regulatory documentation, and continuing to influence the design of the regime as it progresses towards legislation.
24. In discussion, the Board considered the potential scope and practical implications of ORR's role, including duties relating to competition and growth, funding and resourcing for specialist skills, and the arrangements for monitoring construction delivery following transaction close. The Board discussed costs and delivery in the construction phase, as well as risks and mitigations.
25. The Board also considered ORR's responsibility for monitoring and reporting on delivery once regulatory responsibility transfers post-transaction, including the need for appropriate assurance arrangements and sufficient expertise to discharge this role effectively.
26. **The Board noted the roles, responsibilities and timings of the economic regulation framework documents as requested by Highways Committee**

(section D of the report); and the update on the risks and mitigations in particular in relation to funding and resourcing (section E of the report).

Catherine Waller departed the meeting.

Item 9 DBT CONSULTATION: REFINING OUR COMPETITION REGIME – ORR’S RESPONSE

Jennifer Genevieve (Deputy Director, Periodic Reviews and Competition) and Fotini Androulakaki (Head of Competition) joined the meeting for item 9.

Anne Heal returned to the meeting.

27. WG introduced the report on ORR’s proposed response to the Department for Business and Trade consultation, advising that the practical implications for ORR were expected to be limited and noting that any legislative changes would not come into force until next year.
28. In discussion, the Board considered whether the proposals would affect current or ongoing reviews and noted that this was unlikely.
29. **The Board noted the intention to respond to the Department for Business and Trade’s (DBT) consultation, supporting the proposed changes to the competition regime and noting that only a small number of proposals (mainly relating to procedural and operational processes) would benefit from further clarification.**
30. **The Board resolved that authority be delegated to the Deputy Director, Periodic Reviews and Competition to finalise specific responses to the consultation questions.**

The Board adjourned for lunch.

Item 10 2026/27 BUDGET APPROVAL AND BUSINESS PLAN

Lucy Doubleday (Associate Director – Finance and Governance) joined the meeting for item 10.

31. Liz Herridge (LH) introduced the report, highlighting the proposed increase in establishment FTE and with JL providing additional contextual narrative.
32. The Board discussed the organisation’s planned deliverables, including specific reform and transformation priorities, noting that such work had already begun with the Regulatory Excellence programme in the Railway Safety Directorate (RSD).
33. Lucy Doubleday (LD) confirmed that the overall budget excluding depreciation for 2026–27 was £44.1m and that the budget had been balanced through the removal of explicit contingency and an increased vacancy factor.
34. The Board considered the assumptions underpinning the budget and the approach to risk and flexibility, including the removal of contingency. Assurance was provided that any unforeseen pressures would be managed through reprioritisation, slowing recruitment or reducing consultancy spend if required, and that historical underspends in pay and control over the project pipeline provided further flexibility.

35. Further comments were provided on the presentation of strategic objectives and service standards. It was also requested that an overview of transformation-related recruitment be provided to the Transformation Committee (once established) **[Action 03/02]**.
36. **The Board resolved that:**
 - a. **the 2026-27 budget allocations set out at Appendix A be approved; and**
 - b. **the draft 2026-27 business plan at Appendix B be approved; and**
 - c. **authority be delegated to the Chief Executive for approval of the final version.**

Item 11 REPORTS FROM COMMITTEES

37. MH reported on the meeting of the Highways Committee held on 23 March (with relevance to item 7 on this agenda). The Committee had discussed, among other matters:
 - The attendance of Rob Scarrott (Director of Regulatory Monitoring, National Highways) to discuss customer engagement;
 - The Deputy Director update on National Highways' Performance; and
 - ORR priorities for the third Road Investment Period (RP3).
38. Ann Metherall reported on the meeting of the Health and Safety Regulation Committee held on 23 March (with relevance to item 5 on this agenda). The Committee had discussed, among other matters:
 - The attendance of Lilli Matson (Chief Safety, Health and Environment Officer) and Trish Ashton (Director of Rail) from Transport for London;
 - The Quarterly Chief Inspector Report;
 - Driving sustainable improvement in health and safety; and
 - Statutory permissioning processes for GBR day one.

Item 12 ANY OTHER BUSINESS

39. The Board noted the dates of the next meetings and items below the line, namely: the Board forward programme.
40. The Chair referred to his recent meetings, which included: the Chair of Transport Focus and Dr Richard Judge, as well as participation in the independent board effectiveness review of National Highways. A brief update was also provided on the chief executive recruitment process.
41. The Chair marked John Larkinson's final Board meeting as Chief Executive and the Board recorded its warm thanks for his exceptional leadership, professionalism and long-standing contribution to ORR over many years.

Item 13 REFLECTION ON THE MEETING

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

Meeting end: 1.43pm
Approved: 28 April 2026