

THE OFFICE OF RAIL AND ROAD
240th BOARD MEETING
Tuesday 28 April 2026, 09:00 – 13:10
At ORR, 25 Cabot Square, London, E14 4QZ

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

Executive members: Feras Alshaker (Interim Chief Executive), Richard Hines (Director of Railway Safety).

In attendance: 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, Planning and Performance / 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 John Larkinson (outgoing Chief Executive).
3. It was welcomed that the Secretary of State had appointed Feras Alshaker as an Executive Board Member, effective 27 April 2026, for the duration of his tenure as Interim Chief Executive. Additionally, the Board were informed that Anne Heal's appointment as a Non-Executive Director had been extended to 30 April 2027.

Item 2 DECLARATIONS OF INTEREST

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 March 2026 were approved, subject to a minor amendment to paragraph 3, clarifying the nature of Madeleine Hallward's (MH) declared interest.
6. A brief update was provided on actions arising and completed from previous meetings.

Item 4 CHIEF INSPECTOR'S MONTHLY REPORT

7. Richard Hines (RH) introduced the report, noting that it was International Workers' Memorial Day. Further detail was provided in respect of:
 - The sentencing of Eurotunnel (the Channel Tunnel Group Ltd), where the Court had imposed a £2.25 million fine and awarded costs of £290,000. The Victim Personal Statement would be made available to Board Members;
 - Publication the day prior of 'Guiding Principles for Great British Railways' (GBR) Health and Safety Management System', with the Board encouraging formalised engagement with the Department for Transport on safety matters relating to reform;
 - The ongoing assessment of Steamtown Railway Museum Limited's application for an exemption to Regulation 5 of the Railway Safety Regulation 1999 concerning central door locking provision to their mk1 rolling stock, where the Board requested a brief summary of the relevant history **[Action 04/01]**;
 - The upcoming establishment of a Network Safety Board by RSSB in response to ORR's concerns around industry leadership and management of overspeed risk, for which further detail would be provided in the next report, with an invitation for a Non-Executive Director to join a Welfare for Railway Workers event in June; and
 - The Improvement Notice issued to WM Trains Limited (Tyseley Traction Maintenance Depot - TMD), with reference to the demarcation of enforcement responsibilities between ORR and HSE for depots – and for which further detail could be included in the next report.
8. Following questions from the Board, discussion focussed on:
 - The RSSB report presenting preliminary findings from its mainline railway trial of in-cab train driver alertness monitoring technology;
 - Identification of level crossings by Network Rail where it plans to explore if whistle boards provide sufficient control and separately, crossings it will look to close – detail behind this analysis could be shared later in the year upon their appearance at the Health and Safety Regulation Committee (HSRC); and
 - Demographics of the Railway Safety Directorate (in particular retirements), with active management through the creation of a five-year workforce strategy.
9. It was suggested that an update be provided in a future report on earthworks and embankment risk in the context of the recent derailment incident at Shap.

Item 5 CHIEF EXECUTIVE'S REPORT

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

Item 5B RAIL REFORM [ORAL UPDATE]

14. Stephanie Tobyn (ST) provided a brief update on rail reform, noting the staff turnover within DfT mentioned under the previous item, the recent Transport Select Committee report on rail reform (and Government response), and utility of DfT representation at the ORR's Transformation Board (an executive committee). Further reference was made to:
 - The forthcoming Retail Code, which covered third-party retailer interactions with Great British Railways (GBR); and
 - A recent meeting with Transport Scotland, noting that at the upcoming elections, the current Cabinet Secretary for Transport was due to stand down as an MSP.
15. Given ongoing developments, the Board requested that a list of key enablers, status, timeline and clarification of ORR-involvement, associated with rail reform be provided for the May Strategy Day **[Action 04/02]**. It was also suggested that an overview of areas where peers in the House of Lords have raised concerns about the legislation, including the key peers engaged, the issues they are focused on, and potential vulnerabilities, would support the Board's understanding.

The Board adjourned for a short break.

Item 6 HOLDING TO ACCOUNT – QUARTERLY REPORT

Richard Coates (Deputy Director, Planning and Performance) joined the meeting for item 6.

16. Graham Richards (GR) briefly introduced the report. Richard Coates (RC) highlighted the core messages, including broadly stable national performance with improvements in passenger and freight cancellations, satisfactory delivery of renewals to date, increasing financial pressures on Network Rail, and the central role of efficiencies in addressing cost pressures.
17. The Board discussed efficiencies, seeking a clearer narrative explaining what efficiency delivery may mean for outcomes, sustainability and asset condition, particularly in a constrained funding environment. The Board also referred to asset management and sustainability, including the presentation of Composite Reliability Index (CRI) data and concerns about structures and buildings (noting the work of the Independent Reporter).
18. Discussion also referenced train performance, across the Wales & Western and Eastern regions (and in particular, the Anglia route). It noted improvement in the Wales & Western region following enforcement intervention (with an item on close out of the final order due at the next meeting) and early signs of recovery in parts of the Eastern region.
19. **The Board noted Network Rail's position as of Period 12 2025-26.**

Item 7 NATIONAL HIGHWAYS PERFORMANCE

20. GR introduced the report, referring to the appointment of Nick Joyce as Interim Chief Executive of National Highways (NH). The Chair of the Board also referenced a recent meeting with the Chair of NH, looking ahead to the delivery of the third Road Investment Strategy (RIS3). The Board asked that a recent letter from ORR to National Highways on 'ORR's approach to holding National Highways to account during the third road period (RP3, 2026 to 2031)' be circulated via correspondence.
21. A question was raised regarding NH's draft business plan, which was confirmed as received and that comments had been returned accordingly.
22. Other comments related to the data trends observed in Annex B to the report – which provided an overview of key performance indicators – and in particular, that relating to incident clearance. GR referred to the aforementioned letter on the third Road Period, which underlined a focus on KPIs.
23. **The Board noted the contents of the performance update.**

Item 8 ALLIANCE RAIL LIMITED – OPEN ACCESS DECISION UNDER SECTION 17 OF THE RAILWAYS ACT 1993

Martin Jones (Deputy Director, Access, Licensing and International); Gareth Clancy (Head of Access and Licensing) and David Simpson (Head of Railway Performance Oversight & Assurance, via MS Teams) joined the meeting for item 8.

24. ST introduced the report, referring to the assessment of Alliance Rail's application for access rights to run 15 daily return open access services between Marchwood and Southampton / London Waterloo from September 2026. It was explained that rejection of the application was recommended as the applicant had not provided credible evidence to ORR that the services would be operationally or financially viable or pass ORR's economic tests.
25. It was further added that ORR's operational review had concluded that there was insufficient evidence to demonstrate that the proposed services would operate reliably within the timetable from a performance perspective, and, that the necessary infrastructure was not in place. Financial viability concerns stemmed from the significant investment required for Marchwood Station and the upgrade of the freight line to make it suitable for passenger services. It was confirmed that no agreed funding was in place for the required works.

The following paragraph is to be redacted from the published version as information otherwise thought to be potentially sensitive:

26. [...]
27. The Board firstly considered the matter of capacity on the network. Network Rail did not agree with the applicant that capacity existed to accommodate the services, and therefore did not support the open access application. ORR had reviewed the capacity and performance information submitted and the further information requested from Network Rail and Alliance Rail. The

ORR assessment of all the evidence was that it did not provide sufficient confidence for an approval of this application. The Board considered evidence which showed the services would be unlikely to operate within the timetable as proposed by the applicant, of insufficient capacity at Southampton Station without further investment, and the additional work needed to run passenger services (rather than freight) between Southampton and Marchwood.

28. The report also demonstrated consideration had been given to the economic assessment of the application and that insufficient evidence was available to conclude that the NPA ratio would be above 0.3.
29. The Board also discussed disagreement between Network Rail and the applicant as to the ability of the proposed rolling stock to deliver the intended timetable; sufficiency of the evidence provided by the applicant, assumptions surrounding financial responsibility for the required infrastructure improvements; and what would need to be addressed were there to be a further application in future on the same route.
30. The Chair summarised the discussion, referring to the assessment of a lack of capacity, the rolling stock proposed for use (and its adequacy to meet performance requirements and operational parameters); the additional investment required for the viability of the application; the credibility of the business plan, and the abstraction rate that would arise from granting the application.
31. **The Board resolved that the application be rejected based on the information provided indicating that the proposal was not currently operationally nor financially viable.**
32. The Chair welcomed the clarity of the information provided by the team.

Item 9 ESTABLISHMENT OF BOARD COMMITTEE: TRANSFORMATION COMMITTEE

33. Fiona Bywaters (FB) introduced the report which sought the Board's formal approval to establish a Transformation Committee to support the Board's strategic oversight of ORR's organisational transformation, in the context of rail reform, and associated changes to ORR's role, operating model and capabilities.
34. A comment was raised regarding the timebound nature of the specific purpose of the committee and at what frequency this should be reviewed, suggesting it be annual. The necessary amendment would be made to the draft terms of reference at paragraph H18.
35. **The Board resolved that:**
 - a. **The terms of reference be approved to establish the Transformation Committee (subject to the amendment of H18);**
 - b. **Declan Collier, Anne Heal and Lindsey Fussell be appointed as committee members; and**
 - c. **Lindsey Fussell be appointed as committee chair.**
36. The Board also noted the following updates to committee membership:

- That Feras Alshaker – in his capacity as Interim Chief Executive – be appointed to the Health and Safety Regulation Committee (and would remain a member of the Highways Committee);
- That Graham Richards – in his capacity as Interim Director of Planning and Performance – be appointed to the Highways Committee.

The Board adjourned for a short break.

Item 10 QUARTERLY BUSINESS REVIEW 2025-26 – QUARTER 4

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

37. Liz Herridge (LH) briefly introduced the report, with Lucy Doubleday providing an overview of the key headlines that:
- The financial year was closed within budget, with a small underspend of £32k (0.1%);
 - All commitments had been met, with the exception of one marked partially met (in relation to train driver licensing age) as although policy work had been completed, implementation was outstanding;
 - Six new service standards had been added in the year, and overall were met, with the exception of three;
 - 79% of staff had met the workplace attendance requirements over the quarter, with an internal assurance review on data reporting.
38. The Board welcomed the meeting of the financial target, as well as the greening government commitment on domestic flights. Work on addressing those who failed to meet workplace attendance requirements was encouraged in the spirit of fairness to all colleagues.
39. **The Board reviewed ORR's financial performance for Q4 and performance against its business plan.**

Item 11 REPORTS FROM COMMITTEES

40. Daniel Ruiz (DR) reported on a 'cyber security and artificial intelligence' training session held on 27 April 2026 (further to an action arising from the Audit and Risk Committee) which had covered, among other matters:
- Resilience and provision of minimum viable service;
 - The range of threats and actors associated with cybersecurity; and
 - The links between cybersecurity and artificial intelligence.
41. Overall, feedback on the training was positive. Additionally, a question had been raised to the Secretariat as to who within ORR had appropriate security clearance to discuss such matters, should an incident arise.
42. DR also reported on the meeting of the Audit and Risk Committee held on 27 April 2026. The Committee had discussed, among other matters:

- Risk resilience, following work with Professor David Denyer on 'resilience thinking;
 - The bi-annual review of the Strategic Risk Register;
 - A deepdive into the strategic risk relating to the use of AI and promoting safe AI innovation, as well as an associated AI action plan (referenced under Item 5 on the Board agenda) and innovation fund;
 - A breach of a learning and development spend control; and
 - Reasonable assurance on an internal audit of HR resolution processes.
43. Some uncertainty remained among the Committee as to the interaction between the strategic and corporate risk registers. DR had suggested an informal meeting with the relevant executive directors to discuss further and clarify.

Item 12 ANY OTHER BUSINESS

44. 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 4 Risk Report (presented to Audit and Risk Committee).
45. The Chair referred to his recent and upcoming meetings. A brief update was also provided on the chief executive recruitment process.

Item 13 REFLECTION ON THE MEETING

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

Meeting end: 12.32pm
Approved: 19 May 2026