

Rail Delivery Group

Summary of Proceedings 26 June 2012

Present

Tim O'Toole (Chairman)
David Higgins
David Brown
Martin Griffiths
David Martin
Peter Maybury
Paul Plummer
Doug Sutherland
Alain Thauvette
Graham Smith (Secretary)
Michael Roberts

Richard Phillips and Jason Chamberlain (Freshfields Bruckhaus Deringer) attended the meeting

The Chairman explained that the meeting had been called to receive a report on the formalisation of the Rail Delivery Group and to obtain Members' views on the proposals

The composition of the working group, which included the ORR, was outlined. RDG noted that there were parallels in the aviation and energy industries and asked that the working group review these to see if there were any lessons to be learned

RDG was keen that its formalisation did not add to the administrative burden of the industry and wanted to ensure that there was a process for ensuring that there was no overlap of responsibilities and activities. RDG noted that its principal role would be to provide leadership to the industry through the development of policies and strategies.

The meeting considered the key issues raised by the papers and RDG Members:

- RDG agreed that a Company Limited by Guarantee should be the legal entity;
- The Group agreed that the formalisation of RDG was best achieved by a licence condition being placed on Network Rail and holders of operating licences, which would create the necessary compulsion to participate in the work of RDG;
- RDG agreed that the nominated Directors of RDG should be at the level of Chairman, Chief Executive or Senior Director. RDG agreed that the nominated Alternate for each Director should be of a similar standing;
- RDG agreed that the production of an annual report would aid transparency;

- RDG agreed that a formalised group would need full-time resources; and
- RDG asked that the legal documentation reflected fully the obligations of the RDG and its Members to comply with competition law;

The next steps would involve the working group producing legal documentation and consultation documents. RDG asked to be kept informed of progress and to see the draft legal documentation.