



Delay Attribution Board  
Floor 8  
1 Eversholt Street  
London  
NW1 2DN

## **Delay Attribution Board Meeting of 10<sup>th</sup> April 2018**

### **Summary of Meeting**

#### **Request for Guidance**

The Board had received a Joint Request for Guidance from GB Railfreight (GBRf) and Network Rail. The subject matter of the submission was regarding the attribution of delays due to a REC activation emanating from a GBRf locomotive at Crewe.

The Chairman welcomed GBRf and Network Rail representatives to the Board and outlined the relevant procedures for the hearing and invited them to give a brief overview of their submission.

Network Rail provided a full account of the incidents forming the Request for Guidance.

Network Rail believed DAG 4.41.1d covering RECs from trains applies in this instance.

GBRf provided its position statement starting with a brief history of the locomotive and ownership.

GBRf added that the Industry Resolution Guide (IRG) for GSM-R cites that software faults are the responsibility of network rail and it is GBRf's belief that hardware faults should be the same.

As Operators cannot mitigate the hardware faults GBRf is challenging the DAG entry quoted by Network Rail and believe the incidents should be coded to J0 as Network Rail responsibility.

Clarification was requested and received on various aspects of the Request for Guidance to enable the Board to discuss views and formulate its conclusions.

After discussions and considerations by the Board it agreed by a majority vote that, based on the information provided within the Request for Guidance, presentations made by the parties at the Board meeting, the DAPR and the discussion by Board Members, the responsibility for the incidents should be allocated to GBRf.

A full record of the Request for Guidance will be published as DAB47 in May.

### **Request for Guidance Templates**

The Board was provided with a paper proposing Request for Guidance templates for the following circumstances:-

- Attribution Guidance Joint Submission
- Attribution Guidance Single Party Submission; and
- Process Guidance Submission.

After discussion it was agreed that it was appropriate for the Board to introduce a Single Party submission template as it would provide the opportunity for a Party to utilise the Board's services when the other Party does not agree to a Joint submission.

The Board concluded that any process concerns should be set out as part of the standard Request for Guidance submission and considered in parallel with the attribution guidance request and not in a stand-alone template or request.

The Joint and Single Submission Templates will be amended to prompt the Parties to include an entry for any process issues to be highlighted to the Board.

### **P Code Review**

The Board was provided with a paper setting out one of the P Code related issues, originally highlighted through a Sub Group, and as agreed to progress at the March Board meeting.

Members reviewed and discussed the issue highlighted where a TSR delay impact is recorded as part P\* Code and part J\*Code and whether this be considered two incidents or the same incident for attribution purposes.

This issue is not covered in the DAPR or Process Guides and in need of clarification due to inconsistent approach and was therefore agreed to be progressed by the Board.

It was suggested, and the Board agreed, that a delay due to TSR that is attributed as part P\* and part J\* should be considered as one delay 'event' for the purposes of allocating reactionary delay.

It was further cited that any reactionary delay should be allocated in full to the J\* incident and not divided between the P\* Reactions TIN and the J\* incident.

A worked example will be incorporated into the appropriate Process Guide Document.

### **Proposals for Amendment (Pre Consultation)**

The Board was provided with two Proposals for Amendment for review prior to distribution for Industry Consultation.

#### ***DAB P309 – Passenger Overcrowding***

The Board were asked to comment and confirm as to whether the Proposal for Amendment, as presented, represented what had been discussed and agreed at the March Board meeting to which the Board agreed it did.

It was suggested and agreed that as DAB45 Guidance had been escalated to Access Disputes for Arbitration the Proposal for Amendment should not be sent for Industry Consultation at this time and kept on file pending the determination (due to be heard in mid-July)

#### ***NR P197 – Sighting TSRs***

The Board agreed for this Proposal to be distributed for Industry Consultation but with the removal of reference to Network Rail boundary for vegetation.

### **NTF Work Streams**

The opportunity has been afforded for the Board to attend a NTF Performance Seminar to present its views on certain aspects, primarily to include:-

- Issues Impacting Current Delivery of Performance Data Quality
- Opportunities for Delivering Better Performance Data Quality

The first element discussed was the draft SWOT analysis for the DAB. Members had previously provided their views and suggestion for the four elements which were captured for review at this meeting prior to its provision to NTF.

The second element was the questions posed by the NTF in relation to Performance Data Quality and the slides provided to NTF for presentation at its Seminar.

The Board supported the slides as submitted for the seminar and suggested which are the salient points required to be highlighted to NTF. This included concerns over Network Rail Devolution but also to mention that attribution generally works very well and delivers what it was designed to do.

To support this agenda item the DfT observer had kindly agreed to provide the Board with an overview of the CP6 Metrics. This was for the purpose for the Board to consider how it can support and influence improved data capture in that area or understand possible unintentional impacts on Performance Measurement recording.

The official minutes will be available to Industry after sign-off at the 8<sup>th</sup> May meeting

### **Mark Southon**

Secretary to the Delay Attribution Board