

## Rail Council Meeting Thursday 27 April 10.30 – 12.00

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### Note of Meeting

#### 1. Welcome and Housekeeping (see annex for conduct of meetings)

The Chair welcomed members and reminded all of Logistics UK's conduct of meetings.

#### 2. Introductions

All members and staff introduced themselves.

#### 3. Updates since last meeting and on Logistics UK's wider activities

Ellis Shelton, Policy Advisor updated members on recent policy and public affairs activities. Topics included:

- a. Logistics UK's attendance at the Interim GBRTT Freight Board
  - i. During the session the following commission transpired – 'Commission to deliver a simpler and more integrated railway'. The commission will review the rules, contracts and controls that govern major cross-industry processes. The review will be undertaken under four workstreams: planning the use of the railway; performance and operations; stations and depots; and cross cutting issues.
- b. Rail Retained EU Law Bill (REUL)
  - i. This Roundtable will take place monthly for the remainder of the year. DfT proposed to cover two priority areas – safety and interoperability and access management.
- c. Attendance at Rail Partners 'Freight Expectations' Reception
  - i. The headlines from the research paper are – calls on Government to set the target of trebling rail freight by 2050. If met, this could create a minimum of nearly £5.2bn in economic benefits annually and remove over 20 million HGV journeys. A single freight train can remove up to 129 HGV movements off the roads.
- d. Attendance at Rail Industry Association's 'Innovation Conference'
  - i. At the conference an emphasis was placed upon the role that data and data analysis will play in improving transport for both the public and private sector.
- e. Logistics UK's response to the 'Minimum Service Levels' Bill and the findings of the Government's enquiry
  - i. In response to recent strikes, Government had proposed a Strikes Bill which, if passed, would allow the Secretary of State to make regulations

outlining the minimum service required for rail during industrial action. In response, Logistics UK highlighted how, whether during normal or shortened hours, sufficient paths should be made available to rail freight operators to allow for the continuation of freight being transported. The Government responded that freight was excluded from the Bill and that the freight sector should remain in the private sector, without too much Government involvement.

#### **4. The Freight Energy Forum**

Logistics UK attended the first meeting of the Freight Energy Forum. Whilst the forum intends to look at all freight modes, road transport will feature as a strong element of the group's focus. The forum will meet quarterly and:

- a. Assess the supply of demand of energy for the freight sector
- b. Examine the energy infrastructure required to provide refuelling or recharging
- c. Identify where energy and infrastructure will be needed across the regions and locations

From a Rail perspective, Network Rail were the rail representatives and highlighted the following:

- a. The growth in rail freight and the move towards decarbonisation
- b. Raised the point that rail freight faces challenges in securing goods and power supplies to enable greater use of electric traction

The Council agreed that this forum needed to be more multi-modal in its focus, including to promote the importance of modal shift and rail electrification.

The next meeting will be held on 5 July.

#### **5. Logistics UK's Policy Position Statement**

Members fed back on Logistics UK's revised policy position statement. It was agreed upon by the Council that the statement should include five key policy asks. These asks will be included in the revised statement and then circulated to the Council for approval in due course.

It was also agreed upon by all that relevant policy makers needed to be invited to the Council, to engage them in conversation on our key policy proposals.

#### **6. Future Council Meetings**

The Council fed back on how it should operate moving forward. The Council agreed it should support the development of a draft National Freight Network by gathering insight on the key corridors where more could be delivered by rail freight, the different needs, characteristics of and opportunities for rail freight, and the challenges faced by customers and potential customers of rail freight.

Proposed as a resolution to the complications around operators shifting from road to rail, the Council agreed to produce a short guide for how to use rail freight. Included within this guide would be visits to operational sites to help inform discussion. As well, to invite potential rail freight customers to the Council to hear their insight into the barriers on entering the market and how to overcome them.

**7. AOB**

The Council agreed that the overall aim of this group should be to increase the use of rail freight to improve the UK's logistics efficiency and connectivity, and therefore grow the UK economy by boosting its productivity.

## GUIDANCE FOR CONDUCT OF LOGISTICS UK MEETINGS INVOLVING MEMBERS

Logistics UK provides a broad range of valuable services for members and represents them on a range of issues. It is vital however that Logistics UK staff and members remember that certain meetings are composed of a group of competitors and therefore special care is required to ensure that there can never be any suggestion of any form of anti-competitive behaviour – business practices which prevent or reduce competition in the market. In order to protect Logistics UK and its members, there are therefore matters that should not be discussed and certain precautions that should be taken.

In particular, members must not discuss competitively sensitive information. **Competitively sensitive information covers any non-public strategic information about a business's commercial policy that could lead to a competitive advantage.** Competitively sensitive material includes (but is not limited to): individual company costs; individual company prices; sales volumes, revenues, volumes, capacity, utilisation, stock levels or supplies; confidential plans about the future; and, matters relating to individual suppliers or customers.

These following guidelines must be kept in mind when attending meetings involving members:

1. The Logistics UK and its members are committed to adhering to applicable competition laws in all their activities. It is the responsibility of each participating member of each meeting, to ensure that its activity in connection with the Logistics UK meeting complies with applicable competition laws.
2. A named member of Logistics UK staff shall be designated as the **Secretary** of a meeting and be responsible for adherence to these guidelines.
3. A written **Agenda** of meetings will be circulated in advance and be held on file by the Secretary.
4. Detailed and accurate **Minutes** will be circulated to all attendees, after the meeting and held on file by the Secretary. Those minutes will include an accurate list of all members present at the meeting.
5. Membership of Logistics UK, its Councils and Working Groups will be open to representatives of **all relevant organisations** active in the UK, as defined in the Articles of Association and By-Laws.
6. A complete **list of members' names and affiliations** of each Council and Working Group will be held on file by the Secretary, such information being extracted from the Logistics UK membership database.
7. Members will be **formally reminded**, by the **Secretary**, at the **start of every meeting** that they must not discuss competitively sensitive information.
8. There will be **no discussion of competitively sensitive information** (that is not publicly available) either in the formal meeting or otherwise outside of the meeting during breaks.
9. There will be **no coordination of commercially sensitive activity** through the Logistics UK meeting.
10. Should meetings depart from this guidance or if an exchange of competitively sensitive information appears to be taking place or be about to take place, the Secretary or the individual attendee noticing the breach, shall be responsible for notifying the Secretary. The Secretary should draw members' attention to this guidance and prevent further exchanges occurring. This shall be accurately minuted.
11. Any member of a meeting who believes that a meeting is departing from these guidelines should follow the steps in 10 above and be **entitled to leave** the meeting and have their comments and the time of departure minuted.
12. Where any activity of the Logistics UK may involve the passing of commercially / competitively sensitive information that is not publicly available, then such activity may only be carried out after **specific legal advice** has been taken to ensure that the activity is consistent with applicable competition laws.

Logistics UK September 2022

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