
NETWORK and VEHICLE CHANGE SUB-COMMITTEE

Minutes of Meeting No.1
held at Euston House on 9th and 24th May 1996

Present: Bryan Driver (Chairman)
Grahame Cooper
Tony Deighan
Barry Graham (9th May only)
Steve Hawkes (9th May) Dominic Booth (24th May)
Andrew Hinton
Michael Vila
David Spilletts
Ray Price (9th May) Norman West (24th May)

In attendance: Chris Blackman
Martin Shrubsole

1/1 Introduction

The Chairman opened the meeting by welcoming members to the first meeting of the Sub-Committee. He outlined the background to the development of the Dispute Resolution process within the Rail Industry and set the context for the meeting. The existence of Dispute Resolution Committees from within the Industry, with members elected or nominated by the Industry is a very important factor in securing the success of the future of the Industry.

In initiating a preliminary discussion by the Committee about its role, he cited objectivity, perceptiveness, fairness and courage as important qualities in reaching sound decisions and establishing the credibility and reputation of the Committee.

1/2 Review of the Committee's Procedures

The Sub-Committee noted that the Access Dispute Resolution Committee had agreed processes and procedures which supplement, but do not contradict, the Access Dispute Resolution Rules. The secretariat made a brief presentation about these procedures for the benefit of members present.

In response to a question about the Committee's authority to make a determination as to the size of compensation, it was explained that the Committee has powers to make such orders in accordance with Rule A5.11.3, which cross-refers to Rule C4.2.

On the issue of liability members noted that they were covered as members of the Committee against any legal action against them in respect of any determination they might make. The Chairman and Committee Secretary are not currently fully protected, but a change is being proposed to the Access Dispute Rules to bring them into line with the Non-Access Dispute Resolution Rules and thus afford such protection.

The Sub-Committee noted that Appendix B of the Committee's procedures was provided for additional detail to be specified as to the Network and Vehicle Change Sub-Committee's requirements for specification of the content of a reference. Members agreed to comment on the draft on the basis of the experience of the hearing of the first reference.

1/3 Hearing of Reference no. 1.

The Committee formally heard Reference No. 1 received jointly from Mainline Freight and Railtrack. The Record is attached.

1/4 Adjournment of the hearing

At the adjournment of the hearing of Reference No.1 on 9th May, it was agreed that the Committee would reconvene at 10.00 on Friday 24th May 1996 in Room 401, Euston House.

1/5 Circulation of Minutes etc.

Members noted that the Committee's Determination of the joint reference received from Mainline Freight and Railtrack would be signed and sent to all Industry Parties. The minutes of the meeting and Record of the Hearing will be produced and sent to all members and their alternates. After approval at the next meeting of the Sub-Committee the minutes will be signed and circulated to all Industry parties. The Record of the Hearing will be signed and circulated to the Parties to the dispute and to members/alternates only.

1/6 Future Meetings

Members agreed that, in normal circumstances, the starting times of meetings would in future be at 11.00 to enable members to travel at times offering minimum financial disadvantage.

Action: Secretary

The Secretary advised that no further references to the sub-committee had been received and accordingly no further meetings were arranged.