
NETWORK and VEHICLE CHANGE COMMITTEE

Minutes of Meeting No.25

held at Kings Cross on 17 August 2004

Present: Tony Holland (Chairman)
Tom Drury
Tricia Mitchell
Nigel Oatway
Stephen Rattue
Geoff Sandberg

Apologies: Steve Carter
Bob Goundry
David Winder

In attendance: Chris Blackman
Martin Shrubsole

25/1 Minutes of meeting no.24

The minutes of meeting no.24, held at Kings Cross on 18 May 2004, were approved without modification. The Chairman signed a copy of the minutes as a true record of the proceedings. A copy of the approved minutes will be circulated to all Industry Parties.

25/2 Record of Hearing of reference NV59 on 5 May 2004

The Record of Hearing of reference NV59 on 5 May 2004 was approved subject to some modifications. The Chairman signed a copy of the Record, duly modified, as a true record of the proceedings. In accordance with procedures a copy of the approved Record will be circulated to members of the Committee and to the parties to the dispute.

25/3 Record of Hearing of reference NV71 on 18 May 2004

The Record of Hearing of reference NV71 on 18 May 2004 was approved subject to minor modification. The Chairman signed a copy of the Record, duly modified, as a true record of the proceedings. In accordance with procedures a copy of the approved Record will be circulated to members of the Committee and to the parties to the dispute.

25/4 Matters arising from the previous meeting

There were no matters arising

25/5 Hearing of Reference NV60

The Committee heard reference NV60 received from Freightliner Intermodal Limited on the subject of the Major Project notice issued for the West Coast Route Modernisation for the period December 2004 – December 2005. The determination of the Committee is attached.

25/6 Update on references

The Secretary reported that the position on outstanding references received was as follows:

- nv47/51 [see minute 18/5] North Western Trains and English Welsh & Scottish Railway have not yet confirmed the current position on these references (concerning the WCRM Major Project notice 2004);
- NV61 CrossCountry Trains has held further discussions with Network Rail, and the latter has undertaken to provide further information by the beginning of September 2004. It is expected that this will lead to a resolution of the dispute. Accordingly the Secretary had agreed to deferral of a hearing, but the Committee will meet to hear any elements that remain unresolved as at 30 September 2004;
- NV62 ScotRail Railways had withdrawn this reference following resolution with Network Rail of the outstanding issues concerning operation of the sleeping car services;
- NV63 EWS had withdrawn this reference following resolution of outstanding issues with Network Rail;
- NV64 North Western Trains has held further discussions with Network Rail on the same issues that are disputed by Cross Country Trains in NV61. Network Rail will provide further information by the beginning of September 2004. It is expected that this will lead to a resolution of the dispute. The Secretary had agreed to deferral of a hearing, subject to the same conditions as for NV61;
- NV65 In response to a request from Silverlink Network Rail had undertaken to provide further information by 4 September 2004; in the meantime Silverlink had requested a deferral of its hearing, as none of the issues in dispute had been raised or referred by any other Train Operator. It is expected that, upon receipt of the information from Network Rail, a conclusion of the dispute should be reached; accordingly the Secretary had agreed to a deferral of the hearing.
- NV66 Freightliner Heavy Haul advised that, as all the proposals that were the subject of its reference had either been withdrawn by Network Rail or transmogrified into National Rules of the Plan issues (with the right of appeal to the Timetabling Committee), it had withdrawn this reference;
- NV67 Arriva Trains Northern advised that, as all the proposals that were the subject of its reference had either been withdrawn by Network Rail or transmogrified into National Rules of the Plan issues (with the right of appeal to the Timetabling Committee), it had withdrawn this reference;
- NV68 Arriva Trains Wales, following productive discussions with Network Rail, had resolved the issues in dispute and had withdrawn this reference;
- NV72 CrossCountry Trains referred an issue relating to Network Rail's Major Project notice for Liverpool South, but, after further discussions with Network Rail, the issues were resolved and CrossCountry Trains withdrew the reference;
- NV73 Network Rail has referred a matter concerning a proposed Network Change on the Saltburn branch following receipt of a notice from Arriva Trains Northern pursuant to Condition G2.1(a)(iii). Following discussions between the parties Network Rail undertook a detailed review of the infrastructure on the branch during July 2004, and the parties will shortly consider its report. If the matter is not then resolved it will be referred back to the Committee for determination;

NV74 Cross Country Trains has referred an issue contending that the changed format of the Rules of the Route/Plan is a Network Change and that Network Rail should declare it as such in accordance with Condition G1. The issue will be the subject of a hearing on 2 September 2004.

25/7 Any Other Business

There was no other business.

25/8 Date of next meeting

Thursday 2 September.