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***ACCESS DISPUTE RESOLUTION COMMITTEE***

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**MINUTES of MEETING No. 16  
Held on 4th and 17th October 1996**

**Present:**

Bryan Driver (Chairman)  
Lloyd Rodgers (Gatwick Express)  
Keith Hasted (Railtrack)  
Geoff Knight (Railtrack)  
Bob Urie (Regional Railways North East)  
Michael Woods (Eurostar (U.K.))

**In attendance:**

Chris Blackman (Secretary)  
Martin Shrubsole (Alternate Secretary)

**Apologies:**

Ian Braybrook (Loadhaul)  
Nigel Fulford (Great Western Trains)  
Iain Dewar (Freightliner (1995))

**16/1 Introduction**

Bryan Driver welcomed Geoff Knight who was attending his first meeting of the Committee as alternate to Philip O'Donnell.

**16/2 Minutes of Meeting No. 15**

Members approved the minutes of the meeting held on 18th September 1996. The Chairman signed a copy of the minutes as a true record of the proceedings.

**16/3 Matters arising**

Minute 15/4, last paragraph:

The Secretariat reported that it had been clarified with the house lawyers that, for technical reasons, there would be no formal billing.

**16/4 Hearing of Reference AD6**

The Committee heard reference AD6. The record is attached.

**16/5 Access Rights**

Lloyd Rodgers asked what remedy there might be for a Train Operator which suffers from the erroneous granting of an Access Right. In circumstances similar to that which had been considered under Reference AD6, it is conceivable for a Train Operator to know nothing until another, possibly rival, Train Operator starts running trains, or until final offers are published.

Members agreed that this needed further thought, and it was agreed that a paper would be prepared for discussion at the next meeting.

**Action:** Lloyd Rodgers

**16/6 Trust Attribution Guide**

The attention of members was drawn to this guide in which there were three entries making reference to Determination No.3 of the Committee. The Committee was pleased as a point of principle to note that entries in the guide were being cross-referenced to its determinations, but concern was expressed that the second of these particular references appeared to draw an incorrect inference from the Determination. The Secretariat was instructed to examine the matter and, if appropriate, to prepare a letter to the publisher of the Guide asking for public correction of a misleading document.

**Action:** Secretariat

**16/7 Date of next meeting**

Wednesday 11th December 1996 at 16.00 at a venue to be advised in London.