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## ***ACCESS DISPUTE RESOLUTION COMMITTEE***

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

#### **Present:**

Bryan Driver (Chairman)  
Lloyd Rodgers (Gatwick Express)  
Grahame Cooper (Railtrack)  
Philip O'Donnell (Railtrack)  
Ian Osborne (Freightliner (1995))  
Bob Urie (Regional Railways North East)  
Mike Romans (Eurostar (U.K.))

#### **In attendance:**

Chris Blackman (Secretary)  
Martin Shrubsole (Alternate Secretary)

#### **Apologies:**

Ian Braybrook (Loadhaul)  
Nigel Fulford (Great Western Trains)

#### **17/1 Jurisdiction**

The Committee, in accordance with Access Dispute Resolution Rule A4.7, considered submissions from South Wales & West and from Railtrack on the issue of which Committee should have jurisdiction to hear a dispute on Railtrack's proposal to discontinue provision of the Weather Forecast.

Members declared that they wished neither to debate the issues in any detail nor to consider any questions of materiality except insofar as this might be necessary to conclude on the central issue of jurisdiction.

It follows that, as it was not reviewing the evidence in a formal hearing with oral contributions from the parties and the opportunity to ask questions of the parties, the Committee would not be issuing a formal determination.

The Committee recalled its own Determination No.[AD]1, and the impact of the third and fourth paragraphs, the purpose of which was to highlight a route by which a party could bring the processes of Part G into play. Any questions of substance would then need to be debated through those processes including ultimately, if appropriate, the operation of Condition G6.

The Committee concluded that the parties should be directed to handle this matter through the procedures laid down in Part G.

The Secretary was instructed to advise the parties accordingly and to draw their attention to this minute.

**Action:** Secretary

**17/2 Dates of future meetings**

The Secretary advised members that the date of the December meeting had been amended, but was now confirmed as shown below.

Thursday 17th October at 14.00 (resumption of Meeting 16 adjourned on 4th October)  
Wednesday 11th December at 16.00 (venue to be advised).