
ACCESS DISPUTE RESOLUTION COMMITTEE

MINUTES of MEETING No. 26 held on 20th, 21st and 27th October 1997

Present:

Bryan Driver, Chairman
Tim Clarke (Anglia Railways)
Grahame Cooper (Railtrack)
Nigel Fulford (Great Western Trains)
Gordon Hunt (EWS)
Geoff Knight (Railtrack)
Graham Laycock (Railfreight Distribution)
Bob Urie (Regional Railways North East)
Michael Woods (Eurostar (U.K.))

In attendance:

Chris Blackman (Secretary)
Martin Shrubsole (Alternate Secretary)
David Fennell (Wragge & Co.)

26/1 Minutes of meeting No.25

The minutes of meeting no.25 held on 28th August 1997 were approved. The Chairman signed a copy of the minutes as a true record of the proceedings.

26/2 Matters arising

Minute 25/2

Members expressed disappointment that the parties involved had been unable to submit jointly any further papers nor an agreed view on the legal aspects of 'Mistake'.

26/3 Tenancy agreement with Railtrack Property

The Committee recalled Minute 25/3 and that it wished the Committee Secretary to act, in the terms of the Tenancy Agreement, as the agent of the Committee and to sign appropriate documents relating to that Agreement. The Committee formally declared that it agreed to indemnify the Committee Secretary in accordance with Rule A9 against any liability arising from him being named as the Tenant on behalf of the Committee.

Action: Secretary

26/4 Hearing of reference No.[AD]13

The Committee formally heard reference no.13 from Connex South Central. The Determination of the Committee is attached.

26/5 Other business

It was noted that Geoff Knight had succeeded Philip O'Donnell as a member of the Committee; his alternate is Robin Gisby, Railtrack's Head of Freight.

26/6 Date of next meeting

10th December 1997 (next quarterly meeting: afternoon)

26/7 Approval of the minutes of meeting No.26

At the final session of the meeting the Committee approved these minutes. The Chairman signed a copy of the minutes as a true record of the proceedings.