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**ACCESS DISPUTE RESOLUTION COMMITTEE**

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**MINUTES of MEETING No. 41**  
held in London on 4th and 28th April 2000

**Present:**

Bryan Driver, Chairman  
Mark Causebrook (Thameslink Rail)  
Tony Deighan (Eurostar (U.K.))  
Graham Eccles (South West Trains)  
Julia Glenn (Railtrack)  
Geoff Knight (Railtrack)

**Apologies:**

Nigel Oatway (English Welsh & Scottish Railway)  
Ian Osborne (Freightliner)  
Mike Price (ScotRail Railways)

**In attendance:**

Chris Blackman (Secretary)            *{4th April only}*  
Martin Shrubsole (Clerk)            *{also alternate Secretary on 28th April}*

**41/1 Minutes of meeting No.40**

The minutes of meeting no.40 held on 8th March 2000 were approved, subject to two modifications. The Chairman signed a copy of the minutes, as modified, as a true record of the proceedings.

**41/2 Matters arising from the minutes of the previous meeting**

*40/2 [39/3] Renewal of the Committee's contract with the Chairman*

The Secretary reported that a final document was expected to be ready for signature on 6th April.

Action: Secretary

*40/2 [39/4] Renewal of the Committee's contract with the Clerk*

Amendments were now being finalised between the Clerk and the Secretary acting on behalf of the Committee.

Action: Secretary

#### **41/3 Update on References**

##### AD21

A high-level meeting had taken place between South West Trains and Connex South Central. The parties appeared to be on course to a resolution of the issues between them, and the Committee were pleased to note that a further meeting had been arranged to take place in a few days.

#### **41/4 Hearing of joint Reference AD19**

The Committee formally commenced a hearing of Reference AD19 by considering a joint submission from Connex South Eastern and Railtrack. It also heard statements from representatives of the parties and put questions to them. After giving consideration to the evidence it adjourned at 17.40 and reconvened on 28th April to conclude its discussion.

The Determination of the Committee is attached.

#### **41/5 Regulatory Review of Model Clauses in Access Agreements**

Members noted the exchange of correspondence with the Rail Regulator and were in accord with the points made by the Chairman on behalf of the Committee.

Members noted the Rail Regulator's stated intention to review the Access Dispute Resolution Rules later in the year and affirmed the Committee's commitment to give full support and participation when the Rail Regulator signifies his readiness to commence. In the meantime, in anticipation of the forthcoming consultations, the Committee commissioned the Secretary and the Clerk, both of whom have the experience of participation in the previous review, to institute preliminary preparations.

#### **41/6 Date of next Meeting**

The next scheduled meeting will be on Monday 19th June 2000 in Room 230, East Side Offices at Kings Cross commencing at 10.00.