
ACCESS DISPUTE RESOLUTION COMMITTEE

MINUTES of MEETING No. 62 held in London on 17 September 2003

Present:

Sir Anthony Holland, Chairman
Tim Clarke (Anglia Railways)
Jon Bunyan (Freightliner)
Graham Cooper (Network Rail)
Bill Davidson (Network Rail)
Bil McGregor (ScotRail Railways)
Nigel Oatway (English Welsh & Scottish Railway)
Niel Wilson (North Western Trains)

In attendance:

Chris Blackman (Secretary)
Martin Shrubsole (Clerk)

Apologies:

Tony Deighan (Eurostar (U.K.))

62/1 Minutes of meeting no.61

The minutes of meeting no.61 held on 18 June 2003 were approved without modification. The Chairman signed a copy of the minutes as a true record of the proceedings.

62/2 Record of the Hearing of joint reference AD32

The Record of the Hearing of joint reference AD32 from English Welsh & Scottish Railway and Network Rail was approved subject to minor modification. The Chairman signed a copy of the Record, duly modified, as a true record of the proceedings. Circulation of the Record is to Committee Members and to those parties involved at the hearing.

62/3 Matters arising from the minutes of the previous meeting

61/5: Accounts for 2002/03

Members were concerned to note that invoices for the levy to be raised for the current financial year 2003/04 had not been sent out. The Secretary explained that the data required to make the calculations in accordance with Rule A3.9.1 had not yet been provided by the Office of the Rail Regulator. Whilst this was not causing an immediate problem, there could be difficulty if there were a much smaller monetary surplus than was the case at the end of the previous financial year. Members agreed that the process for calculating the levy needed to be reconsidered when the Rail Regulator undertakes his intended review of the Access Dispute Resolution Rules.

There were no other matters arising other than those listed on the agenda.

62/4 Hearing of joint reference AD28 from Thameslink Rail, South Central and Network Rail

The Committee formally heard joint reference AD28 from Thameslink Rail, South Central and Network Rail pursuant to the Independent Station Access Conditions on the issue of items appropriate to be included under the heading of Qualifying Expenditure.

The Determination of the Committee is attached.

62/5 Relationship with the Delay Attribution Board

Members of the Committee noted, without comment or dissent, the paper from the Secretariat.

62/6 Review of Internal procedures (including distribution policy for documents)

Members noted the paper from the Secretariat and agreed in principle the re-drafting of the Committee's internal guide to its procedures. One Member, however, asked for two paragraphs to be redrafted in a simpler style.

The Secretariat will take account of the points raised and, when received, the Regulator's Notice of approval of the changes to the Access Dispute Resolution Rules before producing a revised draft of the "Guide to the Procedures of the ADRC" for approval at the next quarterly meeting.

62/7 Update on References

Members noted that the parties to reference AD31, Great Eastern Railway, Anglia Railways and Network Rail, were seeking guidance from the Delay Attribution Board.

62/8 Any Other Business

There were no other items of business.

62/9 Date of next meeting

Wednesday 15 October 2003 ('earmarked' for possible hearing)