
NETWORK and VEHICLE CHANGE COMMITTEE

Minutes of Meeting No.5

held at Kings Cross on 6, 12, 26 September and 6 October 2000

Present: Bryan Driver (Chairman)
Tony Deighan
Steve Hawkes
Andrew Hinton
Peter Heubeck
Nick Hortin
Nigel Oatway
Mike Vila

Apologies: Bob Goundry

In attendance: Chris Blackman
Martin Shrubsole

5/1 Minutes of the previous meeting

The minutes of meeting no.4 held on 25 July 2000 were approved. The Chairman signed a copy of the minutes as a true record of the proceedings. A copy of the approved minutes will be circulated to all Industry Parties.

5/2 Matters arising from the previous meeting

There were no matters arising.

5/3 Review of response from the parties to reference NV7

Members noted the correspondence received from the Managing Director of North Western Trains and the Zonal Director of Railtrack North West Zone explaining the background to the problem they had in attempting unsuccessfully to produce a joint paper in response to the Committee Notes for Guidance to the parties to reference NV7. Members decided to facilitate a way forward through the adoption of a specific procedure for this dispute alone, by which a member of the Committee Secretariat should intervene directly in assisting the parties to produce an appropriate submission. Members agreed that the Committee should formally ask the ADRC to invoke its powers, pursuant to Access Dispute Resolution Rules A4.4 and A5.3, and set up a sub-committee with prescribed terms that would enable this task to be undertaken.

Action: Secretary to arrange for matter to be considered by the ADRC

5/4 Hearing of References nos. NV8, NV9, NV10, NV12 and NV13

The Committee formally commenced a hearing of references NV8/9/10/12/13 respectively from North Western Trains, Freightliner, West Coast Trains, ScotRail Railways, English Welsh & Scottish Railway, each submitted jointly with Railtrack.

During the period of the hearing, and with the encouragement of the Committee, West Coast Trains held discussions [and negotiations] with Railtrack outside the forum of the hearing which led to a successful conclusion in that West Coast Trains withdrew its reference. Similarly, with the encouragement of the Committee, ScotRail Railways held fruitful discussions [and negotiations] with Railtrack that led to the withdrawal by ScotRail Railways of its reference. Accordingly the Committee did not need to issue any determination in connection with reference NV10 from West Coast Trains or NV11 from ScotRail Railways.

The Committee completed a hearing of reference NV8 from North Western Trains and issued a determination. A copy of this is attached.

The Committee completed a hearing of reference NV9 from Freightliner and issued a determination. A copy of this is attached.

The Committee completed a hearing of reference NV13 from English Welsh & Scottish Railway and issued a determination. A copy of this is attached.

5/5 Status of other references to the Committee

The Secretary advised Members that the status of other references to the Committee was as follows:-

NV5 The Secretary had written to Connex South Eastern in accordance with minute 4/5;

NV6 The Secretary advised the Committee that the Managing Director of Cardiff Railway Co. had explained that a solution had been agreed in principle with Railtrack, and, when amended signalling was introduced, he would formally withdraw the reference;

NV11 This reference, from Central Trains, on an issue stemming from the issue by Railtrack of the West Coast Main Line Major Project Notice, had been withdrawn following productive discussion between Central Trains and Railtrack;

NV14 A submission from EWS had been received on the subject of Railtrack's Major Project Notice for the extension of the Tyne & Wear Metro to Sunderland. A counter-submission from Railtrack is awaited, but in the meantime further discussions between the parties are taking place.

5/6 Date of next meeting

To be advised