

---

## ***NETWORK and VEHICLE CHANGE COMMITTEE***

---

### **Minutes of Meeting No.18**

held at Kings Cross on 12 November 2003

**Present:** Tony Holland (Chairman)  
Chris Hassall  
Peter Heubeck  
Nick Hortin  
Nigel Oatway  
Stephen Rattue  
Geoff Sandberg  
Mike Scott

**Apologies:** Steve Carter

**In attendance:** Chris Blackman  
Martin Shrubsole

#### **18/1 Introduction**

The Chairman welcomed Chris Hassall to his first meeting of the Committee as alternate to Bob Goundry.

#### **18/2 Minutes of meeting no.17**

The minutes of meeting no.17, held at Kings Cross on 7 and 8 November 2002, were approved without modification. 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.

#### **18/3 Record of Hearing of References nos. NV37, 38, 40, 41, 43 and 46**

The Record of Hearing of References nos. NV37, 38, 40, 41, 43 and 46 on 7 and 8 November 2002, was approved subject to some minor modifications. The Chairman signed a copy of the Record, duly modified, as a true record of the proceedings. In accordance with procedures a copy of the approved Record will be circulated to members of the Committee and to the parties to the dispute.

#### **18/4 Matters arising from the previous meeting**

There were no matters arising.

#### **18/5 Hearing of References nos. NV47-52 inclusive**

##### **(a) Reference NV47**

The Committee noted that Network Rail would shortly be making an announcement concerning the content and related timescales of work to be carried out in the Manchester South area and accepted a joint request from Network Rail and North Western Trains that further consideration of this unresolved item should be deferred and the meeting adjourned until a suitable date when the matter would be reconsidered.

**(b) References NV48 and 49**

See minute 18/6 below

**(c) Reference NV50**

The Committee formally heard joint reference NV50 from Silverlink Train Services and Network Rail. The determination NV50 of the Committee is attached.

**(d) Reference NV51**

The Committee agreed that the second item of the joint reference, which was concerned with issues relating to Manchester South, should be dealt with in the same way as NV47 - see Minute (a) above.

The Committee formally commenced a hearing of the first item of the joint reference NV51 from English Welsh & Scottish Railway and Network Rail regarding conflicting possessions in the Merseyside area. After listening to statements from both parties and posing a number of questions Members agreed to adjourn the hearing to allow the parties to conduct further dialogue in an attempt to reach a resolution of the issues in dispute. The Committee advised the parties that, if they were unable to reach a resolution quickly, it would reconvene at the request of either party to conclude the hearing and issue a determination.

**(e) Reference NV52**

The Committee formally heard joint reference NV52 from ScotRail Railways (SRR) and Network Rail.

SRR's objection related to the proposals for a 5-day blockade between Ledburn and Hanslope in August 2004, requiring the Sleeper Trains to be diverted to the ECML. However for some of the duration of the blockade there would also be diversions in force on the ECML which would require the Sleeper trains to be diesel hauled via Lincoln.

SRR's concerns had been increased by the apparent suggestion that this blockade would not now take place in the manner detailed in the Major Project notice, but would be re-scheduled and increased in duration; details were not, as yet, forthcoming. SRR was of the view that it would be inappropriate were such a revised blockade to be introduced using the process for revising Rules of the Route, rather than by amending the Major Project notice.

The Committee noted that Network Rail had confirmed that the specific 5-day blockade, the subject of this dispute, had indeed been withdrawn. In respect of this Major Project notice there is therefore no matter for this Committee to determine. This assessment is entirely without prejudice to the rights of Network Rail or any Train Operator in respect of other possession or blockade proposals, however tabled.

**18/6 Update on references**

The Secretary reported that the position on outstanding references received was as follows:

- nv20 Network Rail had now withdrawn a reference relating to WCRM Linespeed Improvements;
- nv23 English Welsh and Scottish Railway had now formally withdrawn its reference concerning a CrossCountry Major Project notice;

- nv48 Freightliner has resolved all its outstanding issues in dispute with Network Rail concerning Railtrack's Major Project notice for West Coast Route Modernisation 2004, and has withdrawn the reference;
- nv49 Central Trains has resolved all its outstanding issues in dispute with Network Rail concerning Railtrack's Major Project notice for West Coast Route Modernisation 2004, and has withdrawn the reference; the Committee noted that Central Trains wished to reserve the right to resubmit the reference should the terms of its settlement not be honoured; and
- nv53 ScotRail Railways has submitted a reference in respect of works to be carried out on the Forth Bridge; a hearing would be arranged to take place in the next few weeks.

**18/7 Application for costs**

The Committee carefully considered an application for costs that had been received from Great North Eastern Railway and which related to the hearing of reference NV44. The Committee's decision and its reasons will be communicated to the parties concerned.

Action: Secretary

**18/8 Date of next meeting**

To be arranged to hear reference nv53.