

Les Waters
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1 March 2021

Company Secretary
Network Rail Infrastructure Limited
1 Eversholt Street
London
NW1 2DN

Network licence Condition 17 (land disposal): land adjacent to Blackheath station, London

Decision

1. On 7 January 2021, Network Rail gave notice of its intention to dispose of land adjacent to Blackheath station, London (“the land”), in accordance with Condition 17 of its network licence. The land is described in more detail in the notice (copy attached).
2. We have considered the information supplied by Network Rail including the responses received from third parties consulted. For the purposes of Condition 17 of Network Rail’s network licence, ORR consents to the disposal of the land in accordance with the particulars set out in its notice.

Reasons for decision

3. We are satisfied that Network Rail has consulted relevant stakeholders with current information and no objections were left unresolved.
4. In considering the proposed disposal, we note:
 - there is no evidence that railway operations would be affected adversely;
 - the land does not form part of the station lease area and surveys suggest that car parking by station users is relatively low. We also note that Network Rail has confirmed that the lease will protect a level of car parking capacity for continued use, to which there were no objections; and
 - Network Rail has confirmed that reservations in the lease will ensure that ad-hoc crowd control can still be carried out on the land.
5. Based on all the evidence we have received and taking into account all the material facts and views relevant to our consideration under Condition 17, we are satisfied that there are no issues for us to address.

6. We have had regard to our decision criteria in *Land disposal by Network Rail: The regulatory arrangements, October 2019*,¹ and balanced our section 4 duties given to us under the Railways Act 1993. In doing so we have given particular weight to our duty to exercise our functions in a manner which we consider best calculated to “protect the interests of users of railway services”.

7. We have concluded that the proposed disposal is not against the interests of users of railway services. In light of that and our understanding of the transaction as set out above, we grant our consent to the proposed disposal of the land.

A handwritten signature in blue ink that reads 'Les Waters'.

Les Waters

Duly authorised by the Office of Rail and Road

¹ Available from https://orr.gov.uk/_data/assets/pdf_file/0007/1996/land-disposal-regulatory-arrangements.pdf.

Property Disposal – Specific Consent

Application by Network Rail Infrastructure Limited to dispose of land in accordance with the Land Disposal Condition of the Network Licence.

| 1. Disposal | | | |
|------------------------|---|-----------|------------|
| Type of disposal | Grant of a long lease. | | |
| Rationale for disposal | <p>The site has been identified as a strategic disposal generating capital to be reinvested back into Network Rail. The user clause within the long lease will restrict the future use of the site to car parking and ancillary uses only. The site offers potential for a more efficient land use through possible future over site development and this disposal unlocks the opportunity to work with Acorn Property Group to identify this. Any proposal will require additional internal clearances and would be subject to a further LC17 consultation and application for consent, following agreement with the TOC and other key stakeholders on a solution.</p> <p>The carpark isn't a dedicated station carpark and is not part of Southeastern's station lease. Carparking surveys have shown that it mainly serves the local area for people accessing local shops and for short stays. Parking for station use has been shown to be very limited (as discussed in more detail below). Part of the site is also subject to a licence for the Blackheath Farmer's Market and is also utilised by London Marathon as a crowd stacking area. The TOC also use the same part of the site for ad hoc crowd control during other major events. These uses will be retained through reservations within the lease</p> <p>This disposal ensures that the existing carpark is retained (subject to a minimum of 108 spaces) and also creates an opportunity to regenerate the site and create wider economic benefits for the area.</p> | | |
| 2. Clearance | Type | Reference | Date |
| Clearance Details | Business | CR/33730 | 30/01/2020 |
| | Technical | CR/33730 | 15/07/2020 |

| 3. Site | |
|--------------------------------------|--|
| Description of property for disposal | <p>The site comprises a surface level carpark adjacent to Blackheath Station in the London Borough of Lewisham and is accessed via Hurren Close to the west of the site. It is bordered by the railway to the south and partially by residential uses (which are within a conservation area) to the north as well as the public highway. The site is shaded blue on the Blackheath Proposed Lease Plan, 64384461-1 (attached).</p> |
| | <p>The carpark has 163 spaces managed by APCOA through a management agreement with Network Rail and is not part of the station lease to Southeastern.</p> <p>A carparking report was undertaken by Pell Frischmann for Network Rail on a typical weekday in 2018. Of the recorded 370 vehicles going into and out of the carpark (including vehicles dropping occupants off), only 69 (19%) were for using the Station. Only 81 vehicles remained parked for over 8 hours (anticipated to be commuters). The majority of vehicles were related to other local destinations: 148 vehicles (41%) to access Baizdon Road, 102 vehicles (28%) for access to Blackheath Village.</p> <p>At its peak, the carpark was 87% occupied (141 vehicles) however this was only for two 30 minute intervals at 08.30-09.00 and 14.30-15.00. For the majority of the day occupancy is below 80% with between 100-120 vehicles parked at any one time. Occupancy significantly drops off after 15.00 and by 17.00 occupation is under 50%. Overall, of the vehicles surveyed in the report, 50% stayed for less than an hour demonstrating that there is a high turnover of visits.</p> <p>During November 2020, APCOA have confirmed that there are 24 current monthly season permits at Blackheath, indicating that demand for all day parking is low. It is clear therefore that the carpark is primarily used for short stay parking for local amenities within the vicinity and the neighbouring school rather than by rail passengers. Blackheath is in London (Zone 3) and is readily accessible by public transport and modes of transport other than private cars. The majority of people catching trains from here arrive and depart either by one of three bus routes serving the station, on foot or bicycle.</p> <p>The proposed lease requires a minimum of 108 spaces to be maintained which is agreed with the TOC. This exceeds the typical daily requirement for station related usage given that in total only 69 vehicles using the carpark were confirmed as station related and only 81 vehicles in the survey remained all day. Whilst there are identified peaks in demand for parking, these are for short very shorty durations during the day. The purchaser would only be likely to reduce the number of existing spaces if parking demand drops or if changes in parking standards reduce the number of spaces that can be accommodated on the site. The Purchaser has aspirations for a more efficient land use through potential future over-site residential or hotel development above carparking. This would be subject to further approvals from Network Rail and additional regulatory consents following consultation to a change of use.</p> |

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| <p>Attached plans and photographs: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)</p> | <p>Attached plans and photographs:</p> <ol style="list-style-type: none"> 1. Blackheath Proposed Lease Plan (64384461-1) 2. Blackheath Station Marathon Gate Plan (7672843) 3. Blackheath Station Barrier Plan - showing flow of marathon participants towards the starting line at Greenwich 4. Blackheath Farmer's Market Licence Plan (5965679) 5. Blackheath Access Rights Plan (7695475b) <p>Photograph 1: View of the site looking east Photograph 2: View of the site looking west, from entrance via Blackheath Village Road Photograph 3: Area reserved for farmer's market (please see licence for specific area)</p> |
| <p>Ordnance survey coordinates</p> | <p>539415, 175991</p> |
| <p>4. Proposal</p> | |
| <p>Proposed party taking disposal</p> | <p>Acorn Property Group</p> |
| <p>Proposed use / scheme</p> | <p>Carpark and Farmer's market (see earlier comment regarding future change of use)</p> |
| <p>Access arrangements to / from the disposal land</p> | <p>Public vehicular access to the carpark will continue via Hurren Close. Pedestrian access will also continue directly via Hurren Close and also over the adjacent station yard to Blackheath Village Road (as shown in brown on Plan 7695475). Network Rail retained access will be maintained over the site for operational purposes (as shown by the red and brown hatching on Plan 6438446)</p> <p>No other access over Network Rail land will be granted (either expressly or implied).</p> |

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| Replacement rail facilities (if appropriate) | Not applicable. |
| Anticipated rail benefits | No direct operational benefits however terms of proposed disposal will ensure that the carparking facility will be maintained (108 spaces), while any further amendments will be subject to further consents. |
| Anticipated non-rail benefits | Capital receipts from the disposal which will be reinvested back into the rail industry. |
| 5. Timescales | |
| Comments on timescales | Conditional exchange is to take place in December 2020 with completion by 1st March 2021. |
| 6. Railway Related Issues | |
| History of railway related use | Historic maps indicate that the site has been in ancillary use for the station since the 1890s. Originally a goods yard adjacent to carriage sidings, the site has since been a carpark for Blackheath town (local shopping centre) and for the railway station. This does not form part of the station lease and is operated through a management contract with APCOA. |
| When last used for railway related purposes | The site has been used as a carpark (although isn't part of the station lease) since the closure of the goods yard over 40 years ago. As noted above, Network Rail has used the site for maintenance and access purposes and following internal consultation an agreed reserved access area is retained for this in the proposed lease. Car park study data undertaken by in 2018 has also shown that the majority of vehicles accessing the carpark (typically 81% on an average day) aren't related to the station. |
| Any railway proposals affecting the site since that last relative use | The site is used as a carpark serving both the local area and station as well as providing Network Rail operational access as discussed above. Both of these uses are protected under the terms of the proposed long lease. We have consulted with the stakeholders as detailed in this report and with Network Rail's System Operator and no other railway proposals affecting the site have been identified. |

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| Impact on current railway related proposals | The proposal has been through Network Rail's Clearance Process and approval was granted with no impact on any current railway proposals. Network Rail System Operator has also been consulted and there is no impact on any current railway related proposals. |
| Potential for future railway related use | Notwithstanding the evidence within the carparking study, it is acknowledged that the car park has an existing use providing parking for the station as well as providing access for Network Rail for maintenance purposes. As outlined above, these uses will continue and any change of use that affects the carpark and/ or access will be subject to further LC17 consultation. Following consultation of the Long Term Plan, there are no other railway related uses for this site that have been identified. |
| Any closure or station change or network change related issues | The carpark does not form part of the station lease and Southeastern have confirmed that they have no objections to the disposal provided that the minimum of 108 parking spaces are retained and the Marathon and ad hoc use of the area reserved for crowd stacking can continue. Both of these interests are protected as the permitted use within the proposed long lease is limited to carparking (together with the Farmer's Market and annual London Marathon runners stacking). Any change of use will be subject to additional regulatory consents and any future development proposals will take into account these uses alongside any future scheme. |
| Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future | Access to the operational retained land will be safeguarded across the sale area as confirmed in the Technical Clearance report and shown by the red and brown hatching on the Blackheath Lease Plan, 6438446-1 (attached). The red indicates the restricted area for maintenance and the brown indicates access to this from Blackheath Village. |





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| <p>Position as regards safety / operational issues on severance of land from railway</p> | <p>The disposal does not include and requirement for new fencing of the railway boundary, as sufficient fencing already exists.</p> <p>The disposal is on a basis under which Network Rail has had due regard (where applicable) to impact of the disposal on lineside works, including railway treading, signalling and their maintenance. The disposal is without prejudice to Network Rail's safety obligations, with which Network Rail will continue to comply. Network Rail's network licence requires compliance with Railway Group Standards. These set out requirements for – amongst other things – fencing, access and signal sighting. In addition, the Railways and Other Guided Transport Systems (Safety) Regulations 2006 require Network Rail to have a safety management system and safety authorisation in respect of its mainline railway system and its railway infrastructure. These, in turn, require Network Rail to comply with Railway Group Standards as well as its own internal standards; and also continually to monitor changes to the risks arising from its operations and to introduce new control measures as appropriate.</p> |
| <h3>7. Planning History and Land Contamination</h3> | |
| <p>Planning permissions / Local Plan allocation (if applicable)</p> | <p>The site is located within a 'Major and District Town Centre' area in London Borough of Lewisham's Local Development Framework. There are no planning permissions in the historical database of applications.</p> |
| <p>Contamination / Environmental Issues (if applicable)</p> | <p>It is not considered that there is any unusual contamination or environmental issues affecting the site or the proposed continued use as car parking. When required, the purchaser will undertake contamination and environmental surveys.</p> |
| <h3>8. Internal Consultation</h3> | |
| <p>Internal consultation</p> | <p>There are no plans for the station outlined in the Route Utilisation Strategy, the proposal was discussed at the NR Southeastern steering group in September 2017 which concluded that there were no conflicting proposals on the site. We re-engaged with Network Rail's System Operator and Station Portfolio in November 2020 to confirm that this is still the case.</p> <p>Technical Clearance specified that a 2m access strip needs to be retained for the complete length of the platform and around the station access for maintenance and repairs. This will be incorporated into the long lease and is shown by the red hatching on plan the Blackheath Lease Plan (6438446-1) attached.</p> |

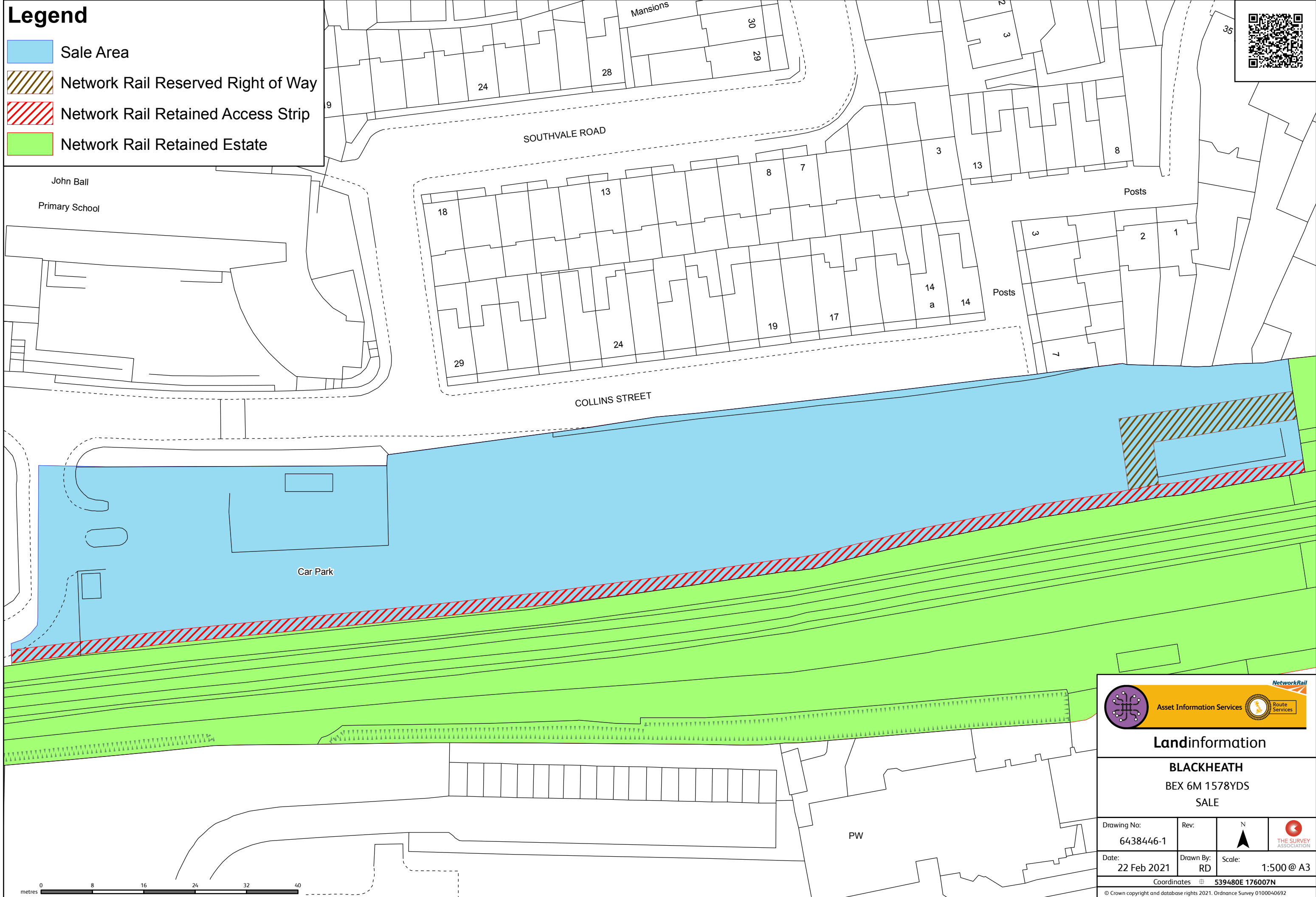
| 9. Local Authorities | |
|------------------------------|--|
| Names & Email Addresses: | Lewisham London Borough Council |
| Local Transport Authorities: | <p>Southeastern Railway - SER have requested that the marathon stacking area (as shown in the red hatching on plan 7672843, attached) be retained which was confirmed by email on 5th January 2018. Southeastern have been contacted again on 28th September 2020 and re-affirmed this point, requesting that the area be extended to ensure that it aligns with the Marathon gate (as also shown on Plan 7672843). In addition, Southeastern would like the ability to use the Marathon Gate and Stacking area in conjunction with other events in Blackheath where crowd control measures are necessary. This is agreed and reservations for these rights have been inserted in the proposed lease. Southeastern were also reassured by Network Rail's confirmation that it is a condition of the proposed lease for a minimum of 108 parking spaces to be retained.</p> <p>British Transport Police - who commented that the disposal was justified as long as the safety and security of the railway is not compromised, of which BTP were satisfied with the information provided on the disposal.</p> <p>London Travelwatch - in response to an invitation for any further comments or observations made by Network Rail on 28th September 2020, London Travelwatch confirmed that they have no objection to the sale provided step free access to the station platforms is maintained and that the right of passengers to pass through the carpark to get to the station is assured. It was confirmed by NR that the disposal is for the continued use of the site as a carpark with existing passenger access and step free access to the station. Any changes to this arrangement would require a further consultation in the future.</p> <p>Lewisham Highways Transport Policy and Department (see above) who commented that the disposal is acceptable subject to the continued use as a carpark, allowing continued access arrangements to the station including continued provision of disabled access to the station. It was confirmed that these arrangements would remain with the continued use as carparking. It was confirmed that any alterations or change in use to the carpark will be subject to further consultation and that LB Lewisham would be a consultee in that process with opportunity to raise any comments or objections. This would take the form of an additional LC17 consultation at the appropriate time.</p> |

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| Other Relevant Local Authorities: | Not Applicable. |
| 10. Internal approval to consult | |
| Recommendation: | <p>By proceeding to consult I am:</p> <ul style="list-style-type: none"> • recommending that Network Rail consults on the terms of disposal • confirming that I have read and understood Network Rail's Code of Business Ethics and policy on Interests in Transactions • confirming that I have secured internal written approval to consult in accordance with Network Rail's policy on Authorising Application Forms. |
| 11. External Consultation | |
| Summary of position as regards external consultations | Please see above. Two consultees (Grand Central and Avanti West Coast) did not respond to any of the requests for comments however this is not considered material since neither operate trains or rail related facilities in the Route either on a timetabled or diversionary basis. |
| Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward | not applicable |

| 12. Internal approval to dispose | |
|----------------------------------|---|
| Recommendation: | Based on the above, I recommend that Network Rail proceeds with the disposal. |
| Declaration: | I have read and understood Network Rail's code of Business Ethics and Policy on Interests in Transactions |
| Proposer's name: | Proposer's job title: Development Surveyor |
| Signed | Date 14/12/2020 |
| Authorised by (name): | Authoriser's job title: Principal Development Manager |
| Signed | Date 17/12/2020 |



Legend


-  Sale Area
-  Network Rail Reserved Right of Way
-  Network Rail Retained Access Strip
-  Network Rail Retained Estate





Landinformation

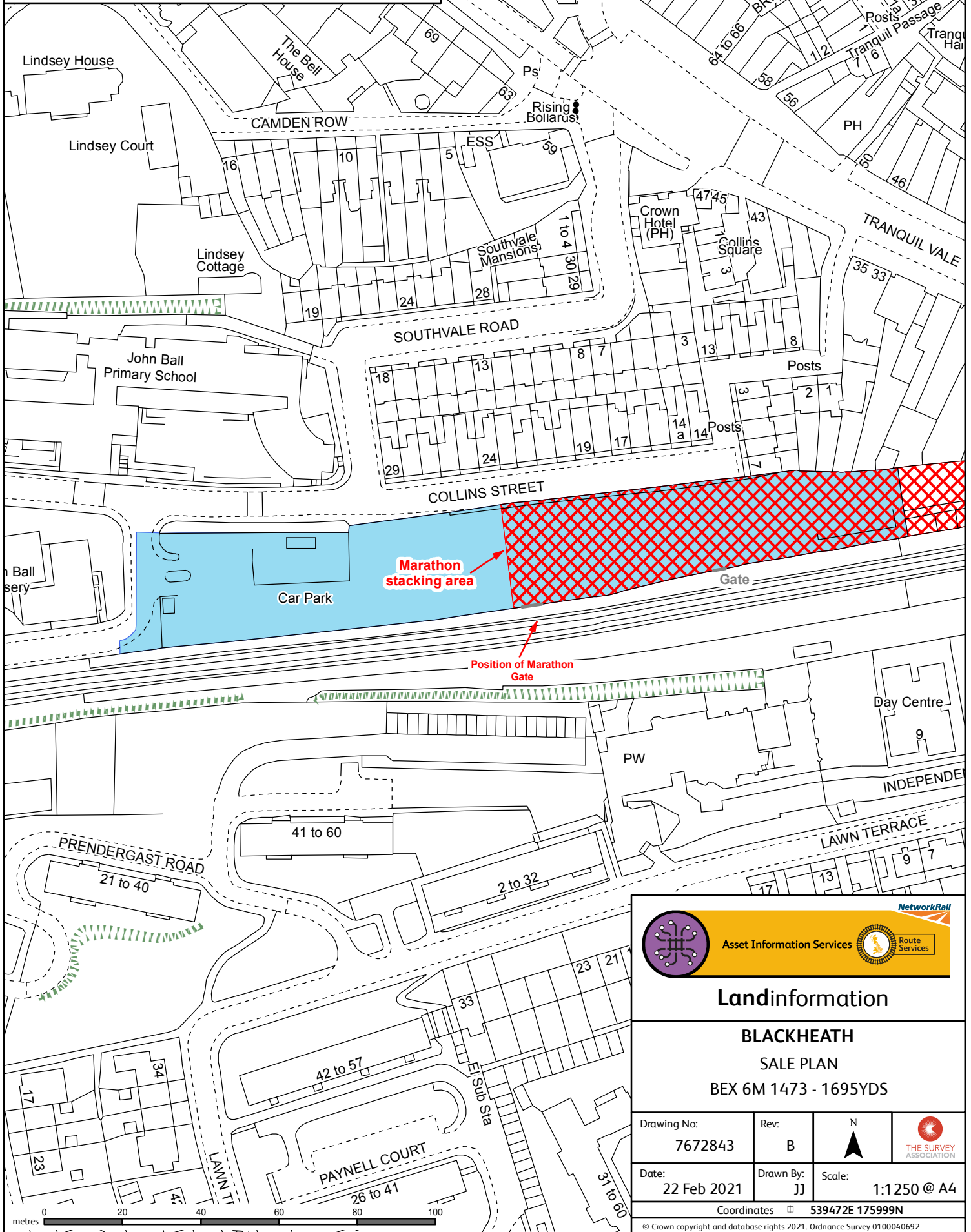
BLACKHEATH
 BEX 6M 1578YDS
 SALE

| | | | |
|--------------------------|-----------------|---|--|
| Drawing No: 6438446-1 | Rev: |  <small>N</small> |  <small>THE SURVEY ASSOCIATION</small> |
| Date: 22 Feb 2021 | Drawn By: RD | | |

Coordinates  **539480E 176007N**
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Legend

-  Sale Area
-  Area Reserved For London Marathon Stacking










Landinformation

BLACKHEATH

SALE PLAN

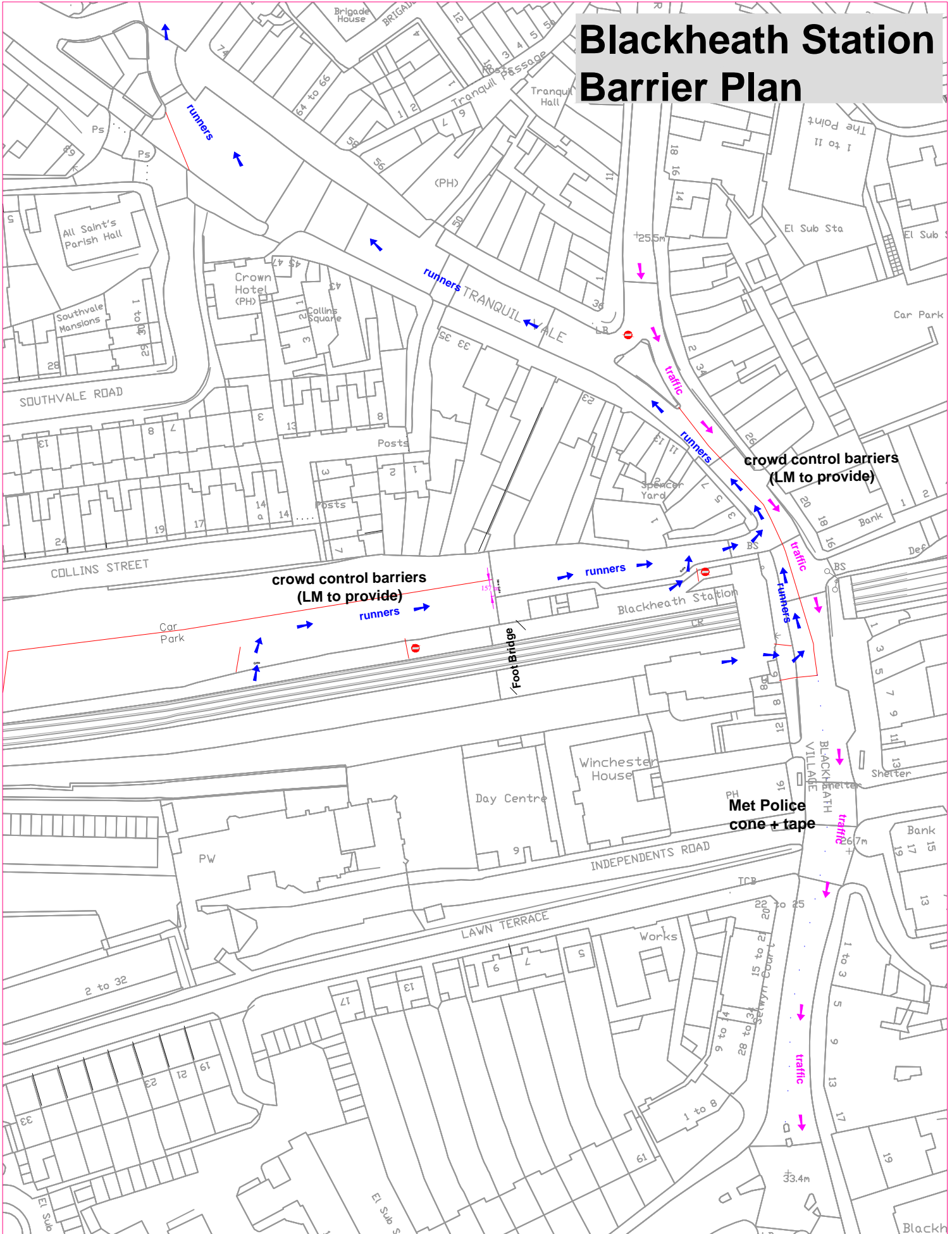
BEX 6M 1473 - 1695YDS

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|------------------------|-----------------|--|---|
| Drawing No: 7672843 | Rev: B | N  |  |
| Date: 22 Feb 2021 | Drawn By: JJ | Scale: 1:1250 @ A4 | |



Coordinates  539472E 175999N

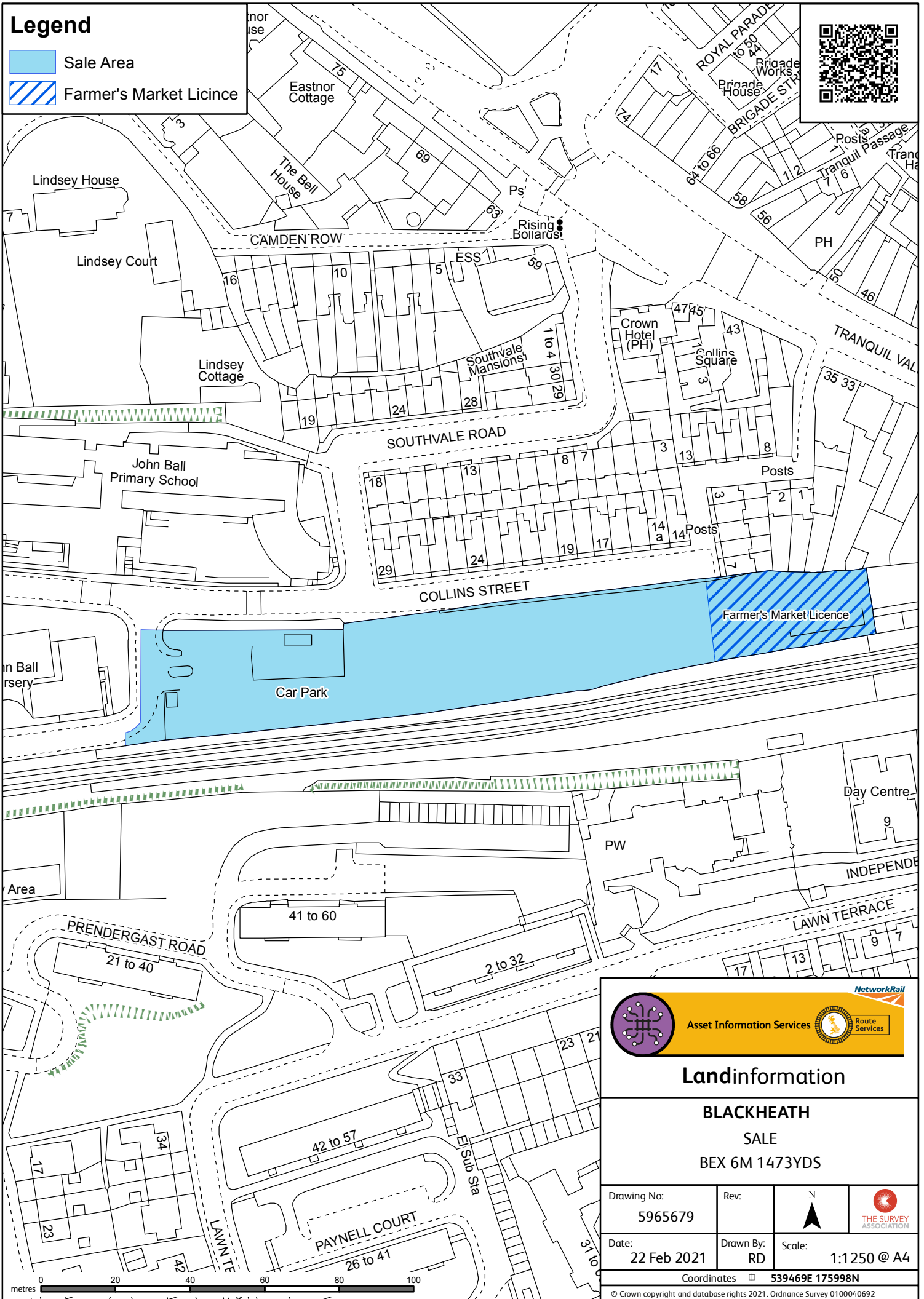
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Blackheath Station Barrier Plan



Legend

-  Sale Area
-  Farmer's Market Licence













Landinformation

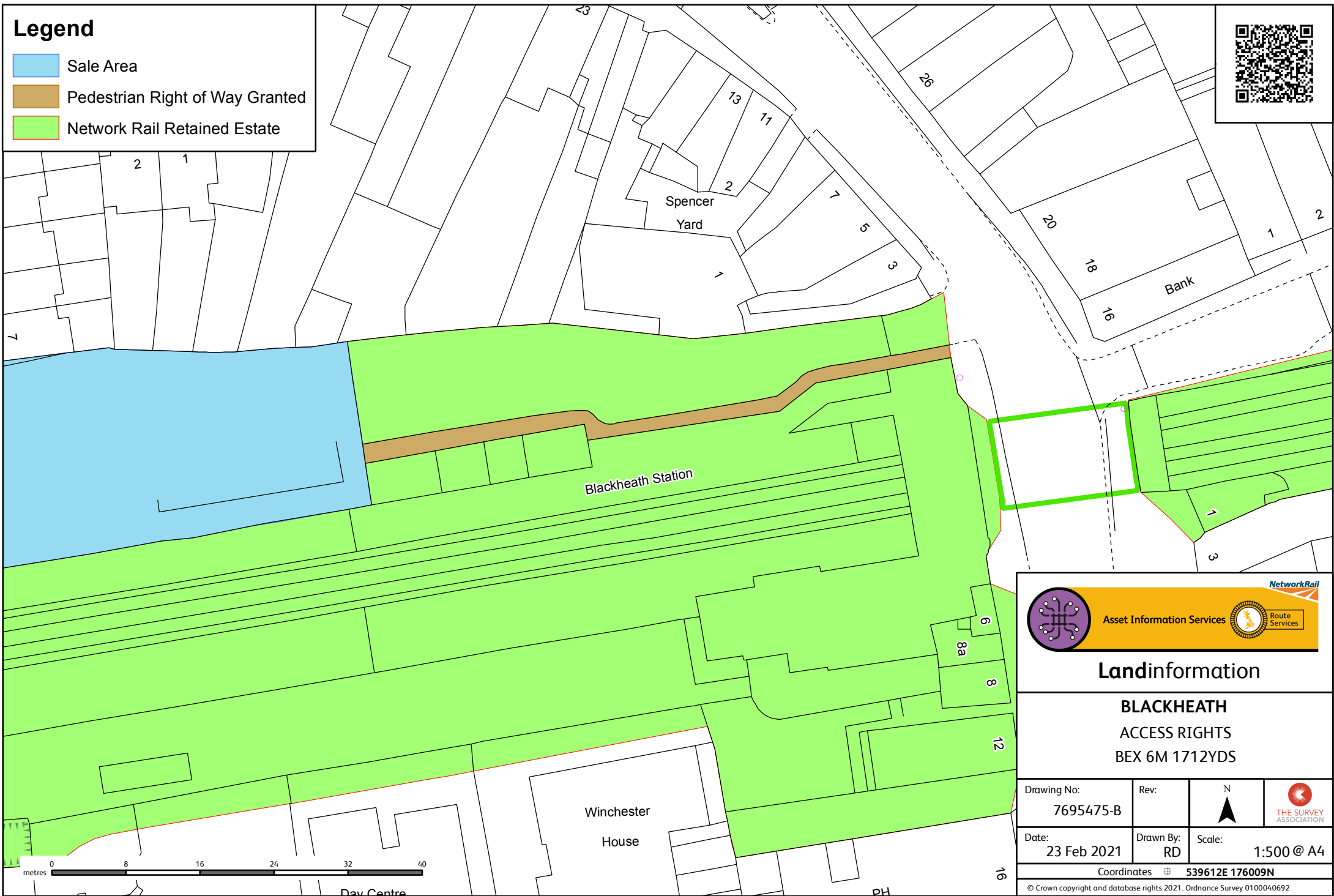
BLACKHEATH
SALE
BEX 6M 1473YDS

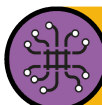




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|-------------------------------|------------------------|--|---|
| Drawing No: 5965679 | Rev: | N  |  |
| Date: 22 Feb 2021 | Drawn By: RD | Scale: 1:1250 @ A4 | |

Coordinates  **539469E 175998N**
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Legend

-  Sale Area
-  Pedestrian Right of Way Granted
-  Network Rail Retained Estate



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|  Asset Information Services  | | | |
| Landinformation | | | |
| BLACKHEATH ACCESS RIGHTS BEX 6M 1712YDS | | | |
| Drawing No: 7695475-B | Rev: |  |  |
| Date: 23 Feb 2021 | Drawn By: RD | Scale: 1:500 @ A4 | |
| Coordinates  539612E 176009N | | | |
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1
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SUSSEX COUNTY COUNCIL
PARKING

CONSULTATION REPORT

relating to

PROPOSED LAND DISPOSAL

This report is provided as a supplement to our forms for the proposed disposal of land at:

Site location and description: Blackheath station carpark.

We have consulted in relation to this evaluation, and summarise the results of this as follows:

Summary of position regarding responses: This consultation was initially circulated in November 2017, prior to marketing the site for sale. The proposal then encountered delays and all consultees were invited to submit any changes or updated comments in January 2020 and again in August 2020 (prior to preparing a submission for specific consent to the ORR). These responses are contained within Annex 1. The earlier comments from consultees are contained within Annex 2. Two consultees (Grand Central

and Avanti West Coast) did not provide any response however this is not considered material since neither operate trains or stations on this Route.

The full list of external consultees is set out below:

| No. | External party (name) | Contact name, email address and telephone | Whether response received (y/n) | Date of response | Details of response (e.g. "no comment"), with reference to any accompanying copy representation in annexes to this report | Comments (e.g. as regards endeavours to obtain response where none given) |
|-----|--------------------------|---|---------------------------------|-----------------------------------|---|---|
| 1 | Department for Transport | | Y | 30/11/2017 | We have no comments | Further emails sent: 10/03/2020; 28/09/2020 |
| 2 | Transport for North | | Y | 28/08/2020 ----- 30/11/2017 | TfN has no further comments to make on this disposal ----- We have no comments | |

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|---|---|--|---|--|--|--|
| 3 | Arriva Trains Cross Country | | Y | 28/09/2020 ----- 30/11/2017 | No further comment from XC Trains Ltd ----- No Comment | |
| 4 | C2C Rail Limited | | Y | 29/09/2020 ----- 10/03/2020 ----- 29/11/2017 | Still no objection to this proposal from C2C ----- Still no objection from c2c on this proposal ----- No objection | |
| 5 | Chiltern Railway Company Limited | | Y | 21/12/2017 | No comment | Further emails sent: 10/03/2020; 28/09/2020 |
| 6 | Eurostar International Limited | | Y | 30/11/2017 | No comment | Further emails sent: 10/03/2020; 28/09/2020 |
| 7 | Great Western Railway | | Y | 28/09/2020 ----- 29/11/2017 | We have no objection ----- No objections | |
| 8 | Grand Central | | N | | No response | Emails sent: 28/11/2017; 10/03/2020; 28/09/2020 |
| 9 | London and South Eastern Railway Limited (Southeastern) | | Y | 30/10/2020 | Apologies for the delay in my response. I've now had a chance to consult with my colleagues on this updated information. | NR Response |

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| | | | | | <p>Thank you for the assurances around the ringfencing of car park usage at the property. One last thing we wanted to check is whether or not the use of short term retail leases on the car park will require change of use planning permission at all?</p> | <p>It is unlikely that any short term retail would constitute a material change of use and the nature of any structures associated with this would be purely temporary. Therefore unlikely that planning permission would be required however a judgement would need to be made based on the facts of the matter at the appropriate time. The proposed long leaseholder is under obligations to seek all relevant planning consents in any event where this is necessary under legislation</p> |
| | | | | 12/10/2020 | <p>We are happy with the hatched area on the amended map. Would it also be possible to add on the special events gate on the map to make clear so that it is clear that the hatched area is to encompass this?</p> | <p>Noted and agreed. I have instructed our Land Information Team to add a label to this effect as per the attached.</p> |

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| | | | | | <p>We would like to comment on a few points regarding this proposed land disposal.</p> <ol style="list-style-type: none"> 1. Regarding the granting of short term commercial leases for the space, we would be very concerned if there was any shift away from using the land as a car park. Could you please set out what control measures will be in place to preserve the primary use of the property as a car park? 2. Our safety team have reviewed the proposed map for crowd control and I've received the below comments | <p>NR Response:</p> <p>The primary use of the land will remain as a carpark and this controlled by a restricted user clause within the proposed lease. A minimum of 108 spaces are to always be provided alongside the existing Blackheath farmer's market licence. The purchaser may locate temporary retail or food and beverage kiosks on the carpark on short term licence arrangements only and any such licences must be terminable on not more than 1 month's written notice.</p> <p>thank you for highlighting this and identifying the location of the special events gate. Please see the</p> |
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| | | | | | <p>- we believe that the crowd control gate is at the wrong location on your map, and so there is a smaller area than is required for crowd control. We have marked up photos displaying the correct location of the crowd control gate (attached) – would you be able to review and respond to this point?</p> <p>3. Is there any chance you have an updated proposal document?</p> | <p>attached plan where I have annotated a proposed extension to the crowd control stacking area in red hatching. This now extends to the location of this gate and the entire area within red hatching would be reserved for this purpose. I would be grateful if you could confirm whether this addresses the issue.</p> <p>We haven't produced an updated proposal document as the terms remain the same, although the issue raised in point 1 above was addressed by email to all stakeholders on 10/03/2020. Please do however let me know however if you require anything further.</p> |
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| | | | | 05/01/2018 | No objections subject to Southeastern retaining the right to use the marathon stacking area as agreed previously. | Please see email chain in Annex 2. |
| 10 | Merseyrail Electrics 2002 Limited | | Y | 10/03/2020 ----- 28/11/2017 | We have no objections ----- No objections | |
| 11 | Northern Rail Limited | | Y | 29/09/2020 ----- 10/03/2020 ----- 21/12/2017 | No objections from Northern Trains ----- Northern have no objections ----- No comment | |
| 12 | Avanti West Coast | | N | | No response | Emails sent: 28/09/2020 |
| 13 | Colas Rail Limited | | Y | 28/11/2017 | No Comment | Further emails sent: 10/03/2020 28/09/2020 |
| 14 | Direct Rail Services | | Y | 13/10/2020 ----- 19/03/2020 ----- 08/12/2017 | DRS have no comments ----- DRS have no comments ----- No comment | |
| 15 | DB Cargo UK Limited | | Y | 08/12/2017 | No comment | Further emails sent 28/09/2020; 10/03/2020 |

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|----|--|--|---|--|---|--|
| 16 | Freight Association Transport | | Y | 03/01/2018 | No comment | Further emails sent 28/09/2020; 10/03/2020 |
| 17 | Freightliner Limited | | Y | 05/12/2017 | No comment | Further emails sent 28/09/2020; 10/03/2020 |
| 18 | GB Railfreight | | Y | 10/03/2020 ----- 02/12/2017 | No issues from GB Railfreight ----- No comment | Further emails sent 28/09/2020 |
| 19 | Rail Freight Group | | Y | 28/09/2020 ----- 10/03/2020 ----- 28/11/2017 | Ok with RFG ----- Happy with proposal ----- Ok with RFG | |
| 20 | West Coast Railway Company | | Y | 03/01/2018 | No comment | Further emails sent 28/09/2020; 10/03/2020 |
| 21 | W. H. Malcolm | | Y | 29/09/2020 ----- 11/03/2020 ----- 04/12/2017 | No objection ----- No objections ----- No comment | |
| 22 | Association of Community Rail Partnerships | | Y | 06/12/2017 | No Comment | Further emails sent 28/09/2020; 12/03/2020 |
| 23 | British Transport Police | | Y | 22/12/2017 | The land disposl at Blackheath Station Car Park is justified as long as the safety and security of the railway is not compromised and | Further emails sent 28/09/2020; 10/03/2020 |

| | | | | | | |
|----|--------------------|--|---|---------------------|--|---|
| | | | | | standards are maintained or where needed improved. From the information I have received in the consultation paper, I am happy that the disposal would not compromise the safety and security of the railway | |
| 24 | London Travelwatch | | Y | 29/09/2020 | London TravelWatch has no objection to this sale provided that step free access to the station platforms is maintained and that the right of passengers to pass through the car park to get to the station is assured. | Thank you for your comments. The proposed disposal is on the basis that the site continues to be used as a carpark with the existing passenger access and step-free arrangements to the station. Any changes to this would require a further consultation in the future. I hope this clarifies this issue but please don't hesitate to contact me if you require anything further. |
| | | | | ----- 05/01/2018 | | ----- No comment |
| 25 | Transport Focus | | Y | 12/03/2020 | Thank you for advising Transport Focus of the | |

| | | | | | | | |
|----|------------------------------|--|--|---|------------|---|--|
| | | | | | | <p>change to the terms of the land disposal at Blackheath station, o/r 2711e18. They note that:</p> <p>the purchaser will be allowed to grant short-term leases/licences for temporary commercial uses.</p> <p>The primary use of the disposal area as car parking should not be prevented by any of the permitted ancillary uses. Transport Focus has no other comment, or objection.</p> <p>-----</p> <p>02/12/2017</p> <p>-----</p> <p>Transport Focus has no objection to this disposal</p> | |
| 26 | Network Rail Media Relations | | | Y | 01/05/2018 | No comment | |
| 27 | Lewisham Highways | | | Y | 26/10/2020 | <p>Thank you for responding to the points raised in relation to step-free access, disabled parking, cycle parking, etc.</p> <p>Based on the details provided, the Council 'London Borough of Lewisham' does not</p> | Please see annexed copy of email for full detail of responses. |

| | | | | | | |
|--|--|--|--|-----------------------------|---|--|
| | | | | <p>----- 01/05/2018</p> | <p>object to the proposed land disposal.</p> <p>----- No objection subject to:</p> <p>a. Continued use of the land as a carparking.</p> <p>b. To restrict changes to the site access points that would impact on existing rights of way access across the land (especially to the school and Hurren Close)</p> <p>c. Provision of disabled/pedestrian/cycle access to Blackheath Station</p> <p>d. Securitisation of cycle parking facilities within the car park</p> | <p>----- NR response was as follows:</p> <p>a. This is agreed as part of the uses restriction in the contract</p> <p>b. The current access points will be retained as part of the restriction on contract.</p> <p>c. This is already established and will remain open.</p> <p>d. Cycle parking facilities are already provided within Blackheath Station</p> |
|--|--|--|--|-----------------------------|---|--|

Copies of responses are given in the annexes to this report, as indicated above. Annex 1

A copy of the consultation request (before customisation for any individuals) is given in Annex 2 (attached).

Annex 1

1. Department for Transport

No response.

2. Transport for North

From:
Sent: 01 October 2020 10:55
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

TfN has no further comments to make on this disposal.

Regards

Strategic Transport Planner

Transport for the North

Ground Floor, West Gate, Grace St, Leeds, LS1 2RP
www.transportforthenorth.com



3. Arriva Trains Cross Country

From:
Sent: 28 September 2020 17:11
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

No further comment form XC Trains Ltd.

Regards

Station Contracts Manager, CrossCountry

Address: 5th Floor, Cannon House, 18 The Priory Queensway, Birmingham, B4 6BS



—

4. C2C Rail Limited

From:

Sent: 29 September 2020 09:36

To:

Subject: Re: FW: Consultation on proposed land disposal: Blackheath

Good morning

Still no objection to this proposal from c2c.

Regards

Reactive Works Manager

2nd Floor, Cutlers Court, 115 Houndsditch, London EC3A 7BR



W: www.c2c-online.co.uk



From:

Sent: 10 March 2020 12:31

To:

Subject: Re: Consultation on proposed land disposal: Blackheath

Good afternoon

Still no objection from c2c on this proposal.

Rgds

5. Chiltern Railway Company Ltd

No response

6. Eurostar International Ltd

No response

7. Great Western Railway:

From:

Sent: 28 September 2020 16:48

To:

Subject: Re: Consultation on proposed land disposal: Blackheath

we have no objection thank you

Network Access Manager | Great Western Railway
1 Milford Street | Swindon | SN1 1HL

First Greater Western Limited | Registered in England and Wales number 05113733
Registered office: Milford House, 1 Milford Street, Swindon SN1 1HL.

8. Grand Central

No response

9. London & Southeastern Railway

From:
Sent: 04 November 2020 12:49
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

OFFICIAL

Hi

Thank you for confirming. Please see my responses below in red.

Please let me know if you have any further comments or queries.

Regards,



Development Manager
Group Property - Development
A: 1 Eversholt Street, London NW1 2DN
M:
E:
W: www.networkrail.co.uk/property

From:
Sent: 30 October 2020 12:42
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

Apologies for the delay in my response. I've now had a chance to consult with my colleagues on this updated information.

1. Thank you for the assurances around the ringfencing of car park usage at the property. One last thing we wanted to check is whether or not the use of short term retail leases on the car park will require change of use planning permission at all? – It is unlikely that any short term retail would constitute a material change of use and the nature of any structures associated with this would be purely temporary. Therefore unlikely that planning permission would be required however a judgement would need to be made

based on the facts of the matter at the appropriate time. The proposed long leaseholder is under obligations to seek all relevant planning consents in any event where this is necessary under legislation.

2. We are happy with the hatched area on the amended map. Would it also be possible to add on the special events gate on the map to make clear so that it is clear that the hatched area is to encompass this? – Noted and agreed. I have instructed our Land Information Team to add a label to this effect as per the attached.

Thank you for your assistance with this,

Kind regards,
Commercial and Compliance Manager
southeasternrailway.co.uk
southeastern
4 More London Riverside
London
SE1 2AU

From:
Sent: 22 October 2020 16:40
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

OFFICIAL

Hi

Thank you for the update and I would appreciate that

Many thanks,



Development Manager
A: 1 Eversholt Street, London NW1 2DN
M:
E:
W: www.networkrail.co.uk/property

From:
Sent: 22 October 2020 16:35
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

Thank you for your response to our comments. I'm just discussing this additional information with my colleagues internally – I should be able to formally come back to on these points early next week.

Kind regards,

Commercial and Compliance Manager

southeasternrailway.co.uk

southeastern

4 More London Riverside

London

SE1 2AU

From:
Sent: 15 October 2020 17:38
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

OFFICIAL

Hi

Thank you for your email below. Please see my comments below in red.

I would be grateful if you could confirm that these points are addressed or let me know if you require anything further.

Many thanks,



Development Manager

A: 1 Eversholt Street, London NW1 2DN

M:

E:

W:

From:

Sent: 12 October 2020 14:25

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

We would like to comment on a few points regarding this proposed land disposal.

1. Regarding the granting of short term commercial leases for the space, we would be very concerned if there was any shift away from using the land as a car park. Could you please set out what control measures will be in place to preserve the primary use of the property as a car park? **The primary use of the land will remain as a carpark and this controlled by a restricted user clause within the proposed lease. A minimum of 108 spaces are to always be provided alongside the existing Blackheath farmer's market licence. The purchaser may**

locate temporary retail or food and beverage kiosks on the carpark on short term licence arrangements only and any such licences must be terminable on not more than 1 month's written notice.

2. Our safety team have reviewed the proposed map for crowd control and I've received the below comments - we believe that the crowd control gate is at the wrong location on your map, and so there is a smaller area than is required for crowd control. We have marked up photos displaying the correct location of the crowd control gate (attached) – would you be able to review and respond to this point? – thank you for highlighting this and identifying the location of the special events gate. Please see the attached plan where I have annotated a proposed extension to the crowd control stacking area in red hatching. This now extends to the location of this gate and the entire area within red hatching would be reserved for this purpose. I would be grateful if you could confirm whether this addresses the issue.

There are currently 2 side gates on platform 2 of Blackheath Station plus the ramped exit.

The ramped exit is almost at the end of the platform, and is accessed via a narrow archway.

The first gate was known as the Victoria Gate and is situated just beyond the canopy towards the London end of the station, which seems to be referred to in the consultation paper.

The second is a special events gate built into the fence line approx. half way down the platform, this was installed to help deal with the heavy flow of passengers alighting for the London Marathon, the steps for which are stored in the station bin compound

The NR consultation paper omits the second gate and reduces the amount of available space by approx. 50%

I do not believe that the new proposal will provide adequate space for safe station egress when a large event takes place on the heath.

3. Is there any chance you have an updated proposal document? We haven't produced an updated proposal document as the terms remain the same, although the issue raised in

point 1 above was addressed by email to all stakeholders on 10/03/2020. Please do however let me know however if you require anything further.

Thanks for sending through this land disposal information, and we will appreciate your response on the above points.

Kind regards,

Commercial and Compliance Manager

southeasternrailway.co.uk

southeastern

4 More London Riverside

London

SE1 2AU

10. Merseyrail Electrics 2002 Limited

From:

Sent: 10 March 2020 10:47

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Morning

We have no objections thanks

11. Northern Rail Limited

From:
Sent: 29 September 2020 08:27
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

There are no objections from Northern Trains

Kind Regards

Franchise Transformation Support Manager



From:
Sent: 10 March 2020 10:53
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Northern have no objections to the below proposal.

Thanks,

12. Avanti West Coast

No response

13. Colas Rail Ltd

No response

14. Direct Rail Services

From:

Sent: 13 October 2020 13:47

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Hi

DRS have no comments.

Best Regards,

Procurement Assistant

Direct Rail Services Ltd

Regents Court
Baron Way
Carlisle
CA6 4SJ

T:

E:

From:

Sent: 19 March 2020 16:02

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Hi,

DRS have no comments,
Many thanks,

15. DB Cargo UK Ltd

No response

16. Freight Transport Association

No response

17. Freightliner Ltd

No response

18. GB Railfreight

From:
Sent: 10 March 2020 11:29
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

No issues from GBRf.

Regards,

Head of Strategic Access Planning,
GB Railfreight Ltd.,
3rd Floor,
55 Old Broad Street,
London, EC2M 1RX.
Tel:
Mobile:
E-mail:

GB Railfreight Ltd. Registered in England & Wales No. 03707899.
Registered Office: 3rd Floor, 55 Old Broad Street, London, EC2M 1RX.

GB Railfreight

19. Rail Freight Group

From:

Sent: 28 September 2020 19:16

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Ok with RFG

Director General

Mobile



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Rail Freight Group

7 Bury Place

London

WC1A 2LA

www.rfg.org.uk

Twitter @railfreightUK

Rail Freight (Users and Suppliers) Group

Registered No. 332 4439

From:
Sent: 10 March 2020 18:53
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Thanks, happy with that – I would never knowingly oppose more coffee shops!

Director General
Mobile



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Rail Freight Group
7 Bury Place
London
WC1A 2LA
www.rfg.org.uk
Twitter @railfreightUK
Rail Freight (Users and Suppliers) Group
Registered No. 332 4439

20. West Coast Railway Company

No response

21. W H Malcom

From:
Sent: 29 September 2020 07:50
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

No objections.

Regards

Business & Estate Manager | W H Malcolm Ltd
Malcolm Group, Brookfield House, 2 Burnbrae Drive, Linwood, Renfrewshire PA3 3BU
DD: | Mobile:
Email: | Web:

From:
Sent: 11 March 2020 09:20
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

No objections.

Regards

Business & Estate Manager | W H Malcolm Ltd

Malcolm Group, Brookfield House, 2 Burnbrae Drive, Linwood, Renfrewshire PA3 3BU

DD: | Mobile:

Web:

22. Association of Community Rail Partnersip

No response

23. Bristish Transport Police

From:

Sent: 07 January 2021 10:18

To:

Subject: RE: Consultation on proposed land disposal: Blackheath

Our Reference CRU 2017 1737

Dear

Many thanks for the email and after some checking have found this department's response from 2017 under our reference CRU 2017 1737. I have attached that response which went to and then on to you. I can confirm that the comments will still stand.

Best regards

Designing Out Crime Manager (1233)

Designing Out Crime Unit
Force Headquarters
25 Camden Road
London
NW1 9LN

Please note change to email addresses (no longer have pnn. within)



From:
Sent: 21 December 2017 15:10
To:
Cc:
Subject: RE: LC7 Consultation on proposed land disposal: Blackheath Station Car Park

Good afternoon,

The land disposal at Blackheath Station Car Park is justified as long as the safety and security of the railway is not compromised and standards are maintained or where needed improved. From the information I have received in the consultation paper, I am happy that the disposal would not compromise the safety and security of the railway.

Kind regards,

Designing Out Crime Officer
Crime Reduction Unit

British Transport Police, Force Headquarters,
25 Camden Road, London, NW1 9LN

Office:

Mobile:

E-mail:

24. London Travel Watch

Dear

Thank you for your comments. The proposed disposal is on the basis that the site continues to be used as a carpark with the existing passenger access and step-free arrangements to the station. Any changes to this would require a further consultation in the future.

I hope this clarifies this issue but please don't hesitate to contact me if you require anything further.

Regards,



Development Manager

A: 1 Eversholt Street, London NW1 2DN

M:

E:

W:

From:
Sent: 29 September 2020 16:58
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Dear

London TravelWatch has no objection to this sale provided that step free access to the station platforms is maintained and that the right of passengers to pass through the car park to get to the station is assured.

Yours sincerely

Director, Policy and Investigation

Follow us on [Twitter](#) and [You Tube](#).



London TravelWatch, Europoint 5-11 Lavington Street London SE1 0NZ

London TravelWatch issues an e-newsletter, keeping you updated on our activities. If you would like to receive this on a regular basis, please register at <http://newsletter.londontravelwatch.org.uk/em-signup>

London TravelWatch is the operating name for the London Transport Users Committee

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25. Transport Focus

From:

Sent: 12 March 2020 10:36

To:

Subject: Re: Consultation on proposed land disposal: Blackheath 1003b20

Thank you for advising Transport Focus of the change to the terms of the land disposal at Blackheath station, o/r 2711e18. They note that:

the purchaser will be allowed to grant short-term leases/licences for temporary commercial uses.

The primary use of the disposal area as car parking should not be prevented by any of the permitted ancillary uses. Transport Focus has no other comment, or objection.

Regards,

26. Network Rail Media Relations

No response

27. London Borough of Lewisham

From:
Sent: 26 October 2020 09:56
To:
Subject: Re: Consultation on proposed land disposal: Blackheath

Dear

Re: Consultation on proposed land disposal: Blackheath

Thank you for responding to the points raised in relation to step-free access, disabled parking, cycle parking, etc.

Based on the details provided, the Council 'London Borough of Lewisham' does not object to the proposed land disposal.

if you have any queries do not hesitate to contact me,

Kind regards

Transport Policy & Development
Housing, Regeneration and Public Realm
London Borough of Lewisham
4th floor, Laurence House, 1 Catford Road, London, SE6 4RU

On 13 Oct 2020, at 17:39, wrote:
OFFICIAL

Dear

Thank you for your comments below. Please see my responses in red to the points raised. I would be grateful if you could confirm that you have no objection so that Network Rail may submit the formal application for consent to the ORR.

Many thanks,

<image001.png>

Development Manager
A: 1 Eversholt Street, London NW1 2DN
M:
E:
W:

From:
Sent: 09 October 2020 16:35
To:
Cc:
Subject: Re: Consultation on proposed land disposal: Blackheath

Dear

Re: Consultation on proposed land disposal: Blackheath

Thank you for consulting the Highways and Transport department at the London Borough of Lewisham on the proposed disposal of the car park adjacent to Blackheath Station.

The confirmation that the site will be sold subject to a restrictive use clause/covenant ensuring solely car parking use in the future, and retention of the allocated area for marathon stacking is welcomed.

The Council also requests the following are including in the clause/covenant:-

- Step free access to the station, through the car park is maintained. To ensure the station is accessible to all. – The current access arrangements from the carpark to the station will be maintained. Furthermore, under the terms of the proposed lease, any alterations will require Landlord's Consent which would ensure that step-free access to the station continues for the benefit of station users.
- Disabled parking is provided within the car park. – The carpark currently has provision for disabled parking and this will continue.
- The current space allocated for station cycle parking is retained. – the proposed leasehold interest includes an obligation to maintain the provision of cycle spaces.
- The right of way through the car park between Blackheath village and Hurren Close is maintained. This route is used by residents and pupils / parents accessing John Ball Primary School. – the current access points will be maintained.
- The Highways and Transport department at the London Borough of Lewisham should be consulted on any changes to the existing access / egress arrangements. - The current access points are to be retained and any changes to the use of the site will be subject to further regulatory consultation by Network Rail, in which London Borough of Lewisham would be a consultee.

I can confirm, subject to the above, the Council does not object to the proposed disposal.

Kind regards

Transport Policy & Development
Regeneration and Place
5th Floor, Laurence House, Catford
London SE6 4RU

On 28 Sep 2020, at 17:16, wrote:
OFFICIAL

Dear Consultee,

You were originally contacted in November 2017 regarding the proposed land disposal at Blackheath (see attached). A further email was sent on 10th March 2020 (see below) seeking comments on a proposed minor change to the terms of the disposal. Given the nature of the case, Network Rail is minded to submit a formal application to ORR for consent to dispose under the terms of our network licence. Due to the passage of time, please could you submit any revised or further comments you may have, within 14 days of this email. Otherwise we will assume that previous comments made in 2017 and any updated or further comments made in March 2020 remain unchanged.

When a formal application to ORR is made we will, in accordance with ORR's regulatory arrangements for land disposal, send you a notification of our application.

Please do not hesitate to contact me if you require any further information.

Many thanks,

<image002.png>

Development Manager
A: 1 Eversholt Street, London NW1 2DN
M
E:
W

From:
Sent: 09 April 2020 19:29
To:
Subject: RE: Consultation on proposed land disposal: Blackheath

Dear

Did you have any further comments to add on this matter?

Regards,

The Network Rail logo, featuring the text "NetworkRail" in a blue sans-serif font above a stylized orange and white graphic of a train or tracks.

From:
Sent: 30 March 2020 17:43
To:
Subject: Re: Consultation on proposed land disposal: Blackheath

Dear
Thanks for your email below. Yes, I would be pleased to receive any further comments that you may have in addition to those already made on behalf of London Borough of Lewisham in 2017 when my predecessor circulated this proposal.

Please do not hesitate to contact me if you have any further queries.

Regards,

Development Manager
A: 1 Eversholt Street, London NW1 2DN
M:
E:

From:
Sent: 30 March 2020 16:59
To:
Subject: Re: Consultation on proposed land disposal: Blackheath

Dear

Due to circumstances associated with these unprecedented times, I was unable to provide a timely response to your 'Consultation on proposed land disposal at Blackheath'. I would still like the opportunity to comment on the proposal. So, could you confirm if it would be possible to submit a consultation response?

Regards

Transport Policy & Development
Regeneration and Place
5th Floor, Laurence House, Catford
London SE6 4RU

ANNEX 2

From:
Sent: 28 September 2020 16:46
To:
Subject: FW: Consultation on proposed land disposal: Blackheath

OFFICIAL

Dear Consultee,

You were originally contacted in November 2017 regarding the proposed land disposal at Blackheath (see attached). A further email was sent on 10th March 2020 (see below) seeking comments on a proposed minor change to the terms of the disposal. Given the nature of the case, Network Rail is minded to submit a formal application to ORR for consent to dispose under the terms of our network licence. Due to the passage of time, please could you submit any revised or further comments you may have, within 14 days of this email. Otherwise we will assume that previous comments made in 2017 and any updated or further comments made in March 2020 remain unchanged.

When a formal application to ORR is made we will, in accordance with ORR's regulatory arrangements for land disposal, send you a notification of our application.

Please do not hesitate to contact me if you require any further information.

Many thanks,



Development Manager

A: 1 Eversholt Street, London NW1 2DN

M:

E:

W:

From:

Sent: 10 March 2020 10:45

To:

Subject: Consultation on proposed land disposal: Blackheath

Dear Consultee,

You were consulted in November 2017 in relation to the proposed sale of the surface level car park adjacent to Blackheath station (copy of form attached). To recap, this carpark is not part of the station lease and the proposed sale is subject to the existing uses continuing.

The primary use of the site as carparking with ancillary uses (weekly Sunday Farmer's Market and crowd control space) will continue however in addition, and without prejudice to this, it is intended that the purchaser will be able to grant short term leases or licences for other temporary commercial uses (including but not necessarily limited to pop-up retail or coffee kiosks) on the land which they are purchasing.

This is not considered to be a material change to the terms of the proposal and will be de-minimis in nature. However in the interests of transparency we are notifying you of this and asking for confirmation of any objections within 14 days of this email. Otherwise we will treat your previous response as remaining the same (in view of the fact that the proposals should have no impact upon you) and that we intend to rely on the existing consent.

Please do not hesitate to contact me should you require any further information.

Regards,



Development Manager

A: 1 Eversholt Street, London NW1 2DN

M:

E: