

Stuart Freer
Executive, Stations & Depots and Network Code
Telephone 0207 282 3674
E-mail stuart.freer@orr.gsi.gov.uk



29 July 2013

Your reference: L-ORR-SF290513

Mr S Price
91 Hazelbottom Road
Cheetham
Manchester
M8 0GQ

Dear Mr Price

Woodlands Road station – closure ratification request

I am writing to let you know that the Office of Rail Regulation (“ORR”) has today issued a ratification notice for the closure of Woodlands Road station. I enclose a copy of the ratification notice.

I am also writing in response to your letter of 29 May 2013 (with attachment) in which you set out on behalf of the Save Our Station Woodlands Road Committee, your representations on the closure of Woodlands Road station. The ORR procedures for reviewing closure references¹ provide for the Department for Transport (“DfT”), as the submitting authority of the closure reference, to be given an opportunity to comment on any representations regarding a proposed closure that are made direct to ORR.

I shared your letter with DfT on receipt and I received a response on 20 June 2013. For completeness I enclose a copy for your information, although I am aware that DfT has already sent you a copy of its letter.

I will now deal with those of your representations that fall within ORR’s remit as the organisation that must decide whether or not to ratify the closure of Woodlands Road station. Where a particular matter falls outside our remit, I will aim to indicate this in my response. In preparing this response I have also taken account of your emails dated 7, 10, 26 June and 1 July 2013.

¹ <http://www.rail-reg.gov.uk/upload/pdf/closures-procedures-dec06.pdf>

ORR notes your point regarding the possible ambiguity in the appraisal report dated May 2010 produced on behalf of Transport for Greater Manchester ("TfGM"), which states that two stations (Abraham Moss and Queens Road) would open. However, it is not explicitly stated that these two stations would open before Woodlands Road station closes and it is acknowledged in the appraisal report (paragraph 5.39) that Queens Road station is likely to open at a later date. It is, of course, the case that Abraham Moss station has since opened (April 2011).

It is also important to note that in a letter to ORR dated 20 June 2013, DfT states that TfGM has provided an assurance to DfT that Woodlands Road station would not close, should the closure be ratified, before Queens Road station is open.

You explain that the construction of Abraham Moss station was funded by a Community Infrastructure Fund (CIF) grant and go on to suggest that the award of this grant demonstrated a pre-disposition to the closure of Woodlands Road station. I am afraid that these matters fall outside the scope of ORR's remit in considering a closure ratification request and, as such, I offer no comment. I do, however, note that DfT has responded to this point in its letter of 20 June 2013.

You state that there are significant demonstrable errors and omissions in TfGM's closure application. Such matters fall properly to be considered by DfT as the national authority responsible under the Railways Act 2005 for closure matters in England and Wales. It is our view that DfT has responded to your representations in its correspondence dated 20 June 2013. These are not matters that fall within our remit and I offer no further comment.

Your letter observes that a significant omission within the closure appraisal was the examination of alternatives to the closure of Woodlands Road station. You also state that there was never any consideration given to the negative social impact on the local community that would result from the closure of Woodlands Road station.

As part of its consideration of any request to ratify a closure, ORR will look carefully at the closure appraisal to ensure that the examination of alternatives to closure and also the assessment of negative social impacts are among the factors that have been properly considered. In this particular case we are satisfied that that on-rail alternatives were considered by TfGM as part of its appraisal (see Chapter 3 of the Closure Appraisal report). We are also satisfied that potential negative social impacts on particular groups, were considered in line with DfT's Closures Guidance (see Chapters 4 and 5 of the Closure Appraisal report). In addition, the Closures Guidance that applied at the time of the appraisal and consultation in 2010 placed no requirement on TfGM to carry out a Social and Distributional Impacts (SDI) assessment. However, the Closures Guidance subsequently changed in April 2011 and TfGM provided ORR and DfT with information to

show that it had undertaken further analysis and that SDI issues had been addressed satisfactorily.

You raise concerns about a letter from TfGM to DfT regarding patronage of Woodlands Road station. You cite this as an example of TfGM producing information that you consider is inaccurate and/or misleading. You indicate that this letter was produced after the consultation on the proposed closure of Woodlands Road. Given our role and responsibilities in considering closure ratification requests (described below) I am afraid we are not in a position to comment on specific correspondence like the letter you describe, particularly given that your description of events suggests that it did not form part of the formal closure consultation process.

As you know from our previous correspondence ORR has a narrow remit in station closures. Under Section 32 of the Railways Act 2005 the duty of ORR is:

- a) to consider whether the person making the closure reference properly carried out the consultation he was required to carry out in accordance with the Railways Act;
- b) to decide whether there has been a failure or other defect in the carrying out of the consultation; and
- c) to determine whether the closure proposal satisfies the criteria set out in the relevant part of the closures guidance.

Our own published guidance describes our responsibility in considering closure ratification requests as follows:

- to ensure the consultation undertaken in accordance with the closures guidance, has been carried out appropriately;
- to evaluate the assessment made to ensure that the published methodology has been followed correctly; and
- to consider whether the proposed closure represents poor or low value for money in comparison with retention.

We are satisfied that these criteria have been met in this particular case.

We have given careful consideration to your correspondence, but I am afraid it does not provide any evidence that leads us to conclude that we would be justified in refusing to ratify the closure of Woodlands Road station.



I realise that this is not the outcome that you and your colleagues would have liked but hope that my letter goes some way in explaining ORR's remit in the closures process and why, with that remit in mind, we had no grounds to justify refusing to ratify the closure.

Yours sincerely

Stuart Freer