

Les Waters

Senior Manager, Licensing
Railway Markets and Economics
Telephone 020 7282 2106
E-mail: les.waters@orr.gov.uk



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

9 January 2020

Network licence Condition 17 (land disposal): Victoria sidings, Norwich

Decision

1. On 11 November 2019, Network Rail gave notice of its intention to dispose of land at Victoria sidings, off Europa Way, Martineau Lane, Norwich (“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 that no objections were received.
4. In considering the proposed disposal, we note that:
 - the land will remain in railway use – it will facilitate the provision of additional stabling to accommodate new passenger train rolling stock;
 - Network Rail has confirmed that the installation of the sidings will be carried out under railway permitted development rights;
 - there is no evidence that current or future railway operations would be affected adversely; and
 - no other reasonably foreseeable railway use was identified.
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.

Proposed Property Disposal

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

1. Site	
Site location and description	Norwich Victoria Sidings The proposed lease is for land at disused sidings downside, just south of Trowse swing bridge on the Norwich main line LTN1.
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	Proposed lease plan attached.
Clearance Ref:	CR/39650 (Certificate numbers 48294 (business) dated 01.03.19 and 49824 (technical) dated 14.06.19)
Project No.	N/A
Ordnance survey coordinates	624159E 306839N
Details of attached photographs (as required)	N/A
2. Proposal	
Type of disposal	29 Year Lease Disposal on FRI terms.
Proposed party taking disposal	Equitix (Financial SPV) sub-let to Abellio East Anglia and subsequent franchisee's

Proposed use / scheme	Equitix (financial SPV) to fund Abellio East Anglia Ltd to construct four sidings including overhead line and staff accommodation. To be used for passenger train stabling.
Access arrangements to / from the disposal land	Access to the site via Europa Way. Network Rail to retain access across the site for road/rail access.
Replacement rail facilities (if appropriate)	Not applicable.
Anticipated rail benefits	29 year lease to provide additional stabling to accommodate the new rolling stock on the route
Anticipated non-rail benefits	None specified
3. Timescales	
Comments on timescales	Lease currently being negotiated. Due to become operational in February 2020.
4. Railway Related Issues	
History of railway related use	There have been sidings on this site since the late 19 th century.
When last used for railway related purposes	The sidings have not been in use since early 1990's and have fallen into dis-repair.
Any railway proposals affecting the site since that last relative use	N/A

Impact on current railway related proposals	No impact
Potential for future railway related use	Continued use as sidings.
Any closure or station change or network change related issues	None.
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	The disposal will not affect the current or future provisions for railway related access by the National Network
Position as regards safety / operational issues on severance of land from railway	<p>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> <p>Network Rail will continue to be responsible for the interface between the National Network and the sidings leased under this transaction</p>
5. Planning History and Land Contamination	
Planning permissions / Local Plan allocation (if applicable)	Abellio East Anglia Limited have applied for approval under Permitted Development.

Contamination / Environmental Issues (if applicable)	Not relevant to this disposal
6. Local Authorities	
Names & Email Addresses:	Norwich City Council
Local Transport Authorities:	N/A
Other Relevant Local Authorities:	N/A
7. Internal approval to consult	
Recommendation:	By proceeding to consult I am: <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.
8. Consultations	
Internal consultation	Clearance: CR/39650 certificate numbers 48294 (Business) dated 01.03.19 and 49824 (Technical) dated 14.06.19
Summary of position as regards external consultations	Full consultation

Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	No objections received.
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9. Internal approval to dispose

Recommendation:	Based on the above, I recommend that Network Rail proceeds with the disposal
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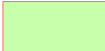


Declaration:	I have read and understood Network Rail’s code of Business Ethics and Policy on Interests in Transactions
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Proposer’s name: Peter Hall	Proposer’s job title: Depot Portfolio Surveyor
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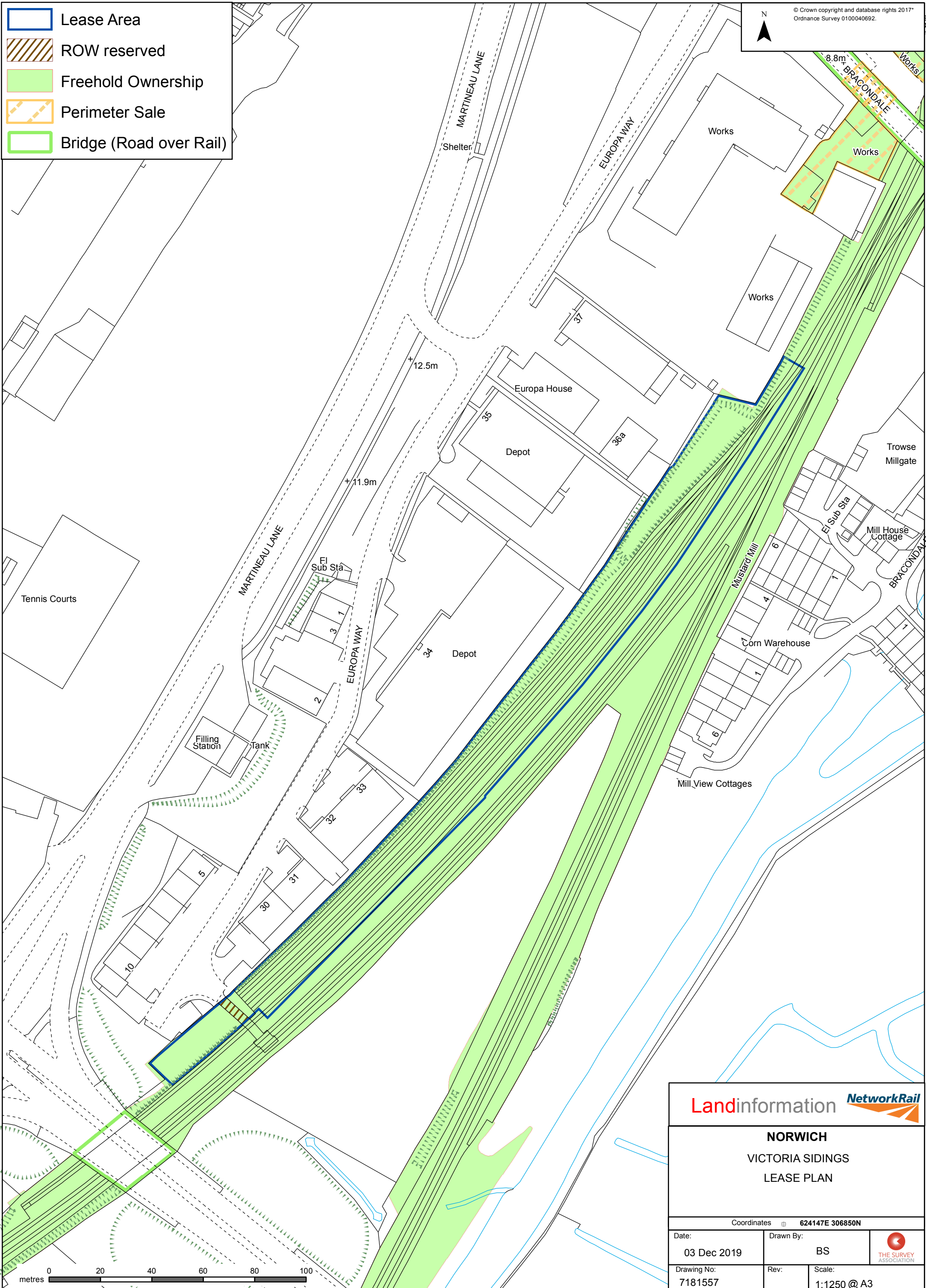
Signed.....	Date.....
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Authorised by (name): XX XX	Authoriser’s job title: Station and Depot Portfolio Manager
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Signed.....	Date.....
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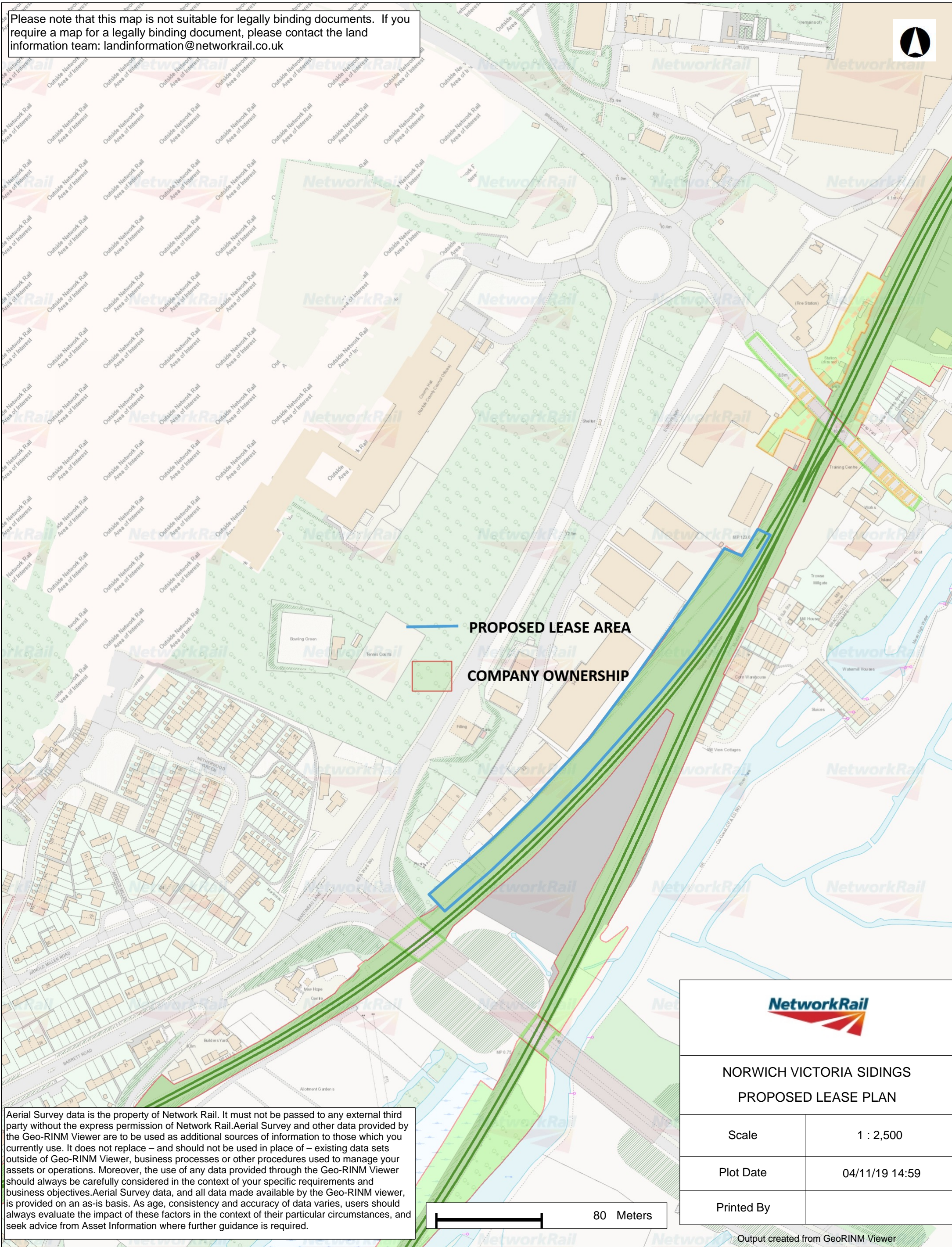
-  Lease Area
-  ROW reserved
-  Freehold Ownership
-  Perimeter Sale
-  Bridge (Road over Rail)

© Crown copyright and database rights 2017
Ordnance Survey 0100040692



Landinformation 	
NORWICH VICTORIA SIDINGS LEASE PLAN	
Coordinates \square 624147E 306850N	
Date: 03 Dec 2019	Drawn By: BS
Drawing No: 7181557	Scale: 1:1250 @ A3

Please note that this map is not suitable for legally binding documents. If you require a map for a legally binding document, please contact the land information team: landinformation@networkrail.co.uk



Aerial Survey data is the property of Network Rail. It must not be passed to any external third party without the express permission of Network Rail. Aerial Survey and other data provided by the Geo-RINM Viewer are to be used as additional sources of information to those which you currently use. It does not replace – and should not be used in place of – existing data sets outside of Geo-RINM Viewer, business processes or other procedures used to manage your assets or operations. Moreover, the use of any data provided through the Geo-RINM Viewer should always be carefully considered in the context of your specific requirements and business objectives. Aerial Survey data, and all data made available by the Geo-RINM viewer, is provided on an as-is basis. As age, consistency and accuracy of data varies, users should always evaluate the impact of these factors in the context of their particular circumstances, and seek advice from Asset Information where further guidance is required.



NORWICH VICTORIA SIDINGS PROPOSED LEASE PLAN	
Scale	1 : 2,500
Plot Date	04/11/19 14:59
Printed By	

Output created from GeoRINM Viewer

CONSULTATION REPORT

relating to Norwich Victoria Sidings

PROPOSED LAND DISPOSAL

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

Site location and description: The whole proposed lease demise at Norwich Victoria Sidings is currently redundant and dilapidated sidings that have been removed from the Network by way of Network Change. Abellio East Anglia Ltd are proposing to reinstate four sidings to stable passenger rolling stock. The proposed lease will exclude any light maintenance activities. In order to fund the works AEA have approached Equitix, a financial SPV to take the head lease and finance the project. Conditions in the head lease will protect the railway use. The proposed lease will be for a term of 29 years .

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

Summary of position regarding responses: All consultees responded that they either had no comment or no objections to the granting of the lease. No response was received from Grand Central, East West Rail, GBRailfreight or DB Cargo.

Land disposal consultation report

V 1.1

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	W H Malcolm		Y	16/07/19	No comment	
2	Transport Focus		Y	18/07/19	No objection	
3	ACORP		Y	17/07/19	No comment	
4	Merseyrail		Y	16/07/19	No Comment	
5	Eurostar		Y	16/07/19	No Comment	
6	Northern		Y	16/07/19	No Comment	
7	LSER (T/A Southeastern)		Y	16/07/19	No comment	
8	Rail Freight Group		Y	15/07/19	No comment	
9	First Great Western		Y	15/07/19	No comment	

Land disposal consultation report

V 1.1

10	c2c		Y	15/07/19	No comment	
11	BTP		Y	29/07/19	No Comment	
12	Cross Country Trains		Y	01/08/19	No Comment	
13	DRSL		Y	02/08/19	No Comment	
14	Virgin		Y	09/08/19	No Comment	
15	West Coast Railway Co		Y	19/08/19	No comment	
16	XX XX Freightliner		Y	20/08/19	No comment	
17	COLAS		Y	20/08/29	No comment	
18	Abellio Greater Anglia		Y	21/08/19	No Comment	
19	Chiltern Railways		Y	22/08/19	No Comment	
20	Freight Policy, Freight Transport Association		Y	02/09/19	No comment	
21	Department for Transport		Y	02/09/19	content for this to proceed	XX XX

Land disposal consultation report**V 1.1**

22	Network Rail East West Rail		Y	04/09/19	Network rail do not currently have a team set up to look at the Eastern section (Cambridge to Norwich)	
23	DB Cargo		N			
24	GBRf		N			
25	Sean English, Grand Central		N			
26	East West Rail		N			No response from email or phone calls
27	East Midlands Railway		Y	08/01/19	No Objections	

A copy of the consultation request (before customisation for any individuals) is given in Annex 1.

Copies of responses are given in Annexe 2 to this report, as indicated above.

Annex 1

From:

Sent: 15 July 2019 15:54

To:

Cc:

Subject: Consultation on proposed land disposal: Norwich Victoria Sidings

Dear Consultee,

Property: **Grant of 29 year lease of Norwich Victoria Sidings to Equitix (Financial SPV) sub-let to Abellio East Anglia Limited and subsequent Franchisees**

We seek to consult you as regards your views, please, on our proposed disposal by way of a 29 year lease.

We attach a draft application form to the Office of Rail Regulation which, with its related plan, explains the proposal in detail. Subject to the outcome of our consultation, we may make a formal application to ORR for consent to make the disposal under the terms of our network licence land disposal condition. We would expect to make an application based on this form, updated in the light of consultation responses.

Alternatively, if in the light of the consultation responses, the proposed disposal would qualify to be made under ORR's general consent, we may complete it accordingly.

ORR reviewed our land disposal arrangements so that from 1 April 2008, ORR will no longer launch any separate consultations when we apply for consent to dispose of land. The arrangements are that we will consult and report the results to ORR in conjunction with our application. It is therefore important that we have your views, so that these may be considered in ORR's decision.

We request your comments, please, by **12th August 2019** (including any "no comment" response). It would be helpful if your response is provided by email. A "no-comment" response can be provided by simply clicking the "**No Comment**" voting button at the top of the e-mail.

Land disposal consultation report

V 1.1

If you have any queries as regards this proposal, please direct them to, Depot Portfolio Surveyor, (). If future consultations of this nature should be directed differently to your organisation, please advise us of the appropriate contact details, so we may amend our records.

Yours faithfully,

Depot Portfolio Surveyor

Annex 2

1)

From:

Sent: 18 July 2019 13:39

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

XX,

No objections.

Regards

Business & Estate Manager | W H Malcolm Ltd

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

Email: **Web:** www.malcolmgroup.co.uk | [Malcolm Group on LinkedIn](#)

2)

From:

Sent: 18 July 2019 11:03

To:

Subject: Re: Consultation on proposed land disposal: Norwich Victoria Sidings 1507a20

Thank you for sending Transport Focus details of the proposed land disposal in Norwich.
They note that:

the disposal concerns Norwich Victoria sidings, on the down side of the Ely railway;
they are to be leased for 29 years to Equitix, and sub-let to Abellio East Anglia and any subsequent franchisee;
Equitix will fund Abellio East Anglia to relay and electrify the sidings, which will be used for stabling new rolling stock;
staff accommodation will be provided, and Network Rail's access from Europa Way will continue;
the lease is planned to come into force in September, 2019.

Passengers will welcome the new rolling stock; Transport Focus has no objection to the proposed disposal.

Regards,

3)

From:

Sent: 17 July 2019 08:33

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

No comment

Senior Operations Manager



Web: acorp.uk.com

The Old Water Tower, Huddersfield Railway Station, St Georges Square, Huddersfield HD1 1JF

4)

From:

Sent: 16 July 2019 10:07

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

We have no objections thanks

Legal & Contract Assistant
Merseyrail





5)

From:

Sent: 16 July 2019 09:54

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

No comment from EIL,

Thanks

PA to Chairman and to Company Secretary

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW

eurostar.com



6)

From:

Sent: 16 July 2019 09:19

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Northern have no objections to the below proposal.

Thanks,

7)

From:

Sent: 16 July 2019 09:02

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Good morning

Thank you for the opportunity to review the below.

Southeastern has no comments on this proposal.

Kind regards,

[Commercial Manager](#)

southeasternrailway.co.uk

southeastern

[Friars Bridge Court](#)

[41-45 Blackfriars Road](#)

[London, SE1 8NZ](#)

8)

From:

Sent: 15 July 2019 17:53

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Ok with RFG

Director General

JOIN US
Because getting
rail freight right
is no kid's game.



9)

From:

Sent: 15 July 2019 16:29

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Good afternoon

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.

10)

From:

Sent: 15 July 2019 16:11

To:

Subject: Re: Consultation on proposed land disposal: Norwich Victoria Sidings

Good afternoon

No objection from c2c on this proposal.

Regards

Reactive Works Manager

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

c2c

W: www.c2c-online.co.uk



11)

From:

Sent: 29 July 2019 11:26

To:

Cc:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Dear

Our Reference - DOCU-2019-1282

With regards the above Land Disposal recently sent through, I can confirm BTP has no objections or comments to make at this time.

Best regards

Designing Out Crime Officer (1233)

Designing Out Crime Unit

Force Headquarters

25 Camden Road

London

NW1 9LN

12)

From:

Sent: 01 August 2019 16:46

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

XC Trains Ltd has no comment on this proposed disposal.

Regards

Station Contracts Manager CrossCountry

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

Buy train tickets online at [crosscountrytrains.co.uk](https://www.crosscountrytrains.co.uk) | Get our Train Tickets app for free from your app store or via our website



13)

From:

Sent: 02 August 2019 12:27

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Hi

DRS have no comments.

Best Regards,

Procurement Apprentice

Direct Rail Services Ltd

Regents Court
Baron Way

Carlisle

CA6 4SJ

14)

From:

Sent: 09 August 2019 13:32

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Dear

Please note West Coast Trains Ltd has no comments to make regarding this Land Disposal.

Kind Regards



Track Access Manager

West Coast Trains Ltd, Ground Floor

Victoria Square House, Victoria Square

Birmingham, B2 4DN

15)

From:

Sent: 19 August 2019 15:54

To:

Subject: Re: Consultation on proposed land disposal: Norwich Victoria Sidings

No comments

WCR

Sent from my iPhone

16)

From:

Sent: 20 August 2019 10:00

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Hi

No comment from Freightliner.

Cheers,

Group Property Manager
Freightliner Group Limited

Web: www.freightliner.co.uk
Freightliner® is a registered trademark

17)

From:
Sent: 20 August 2019 11:00
To:
Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

– no comment.

Many thanks,



Property Manager

COLAS RAIL LTD
Dacre House - Floor 4, 19 Dacre Street, London, SW1H 0DJ, United
Kingdom
www.colasrail.co.uk

18)

From:

Sent: 21 August 2019 15:12

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

No comment

19)

From:

Sent: 22 August 2019 15:21

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Hi

No Comment

Kind Regards,

Regulatory Contracts Manager

Chiltern Railways

Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ

www.chilternrailways.co.uk

20)

From:

Sent: 02 September 2019 12:49

To:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Dear

FTA does not have a comment on this proposal.

With regards

Director of UK Policy
Freight Transport Association

21)

From:

Sent: 02 September 2019 13:35

To:

Cc:

Subject: RE: Consultation on proposed land disposal: Norwich Victoria Sidings

Good afternoon

I can confirm that the DfT are content for this to proceed.

Regards

Briefing and Correspondence Manager, Rail Infrastructure South Directorate, Southeast, Anglia and Enhancements Portfolio, Department for Transport

22)

From:

Sent: 04 September 2019 15:01

To:

Subject: LC17 land disposal consultation

Hi

I have been sent your email by

Having looked at the documents you attached I believe you are referring to a site in the area of Norwich?

If this is the case then I am sorry but we only cover the East West Rail project up to Oxford, Milton Keynes, Bletchley and Bedford (the Western Section). Norwich does not feature in the Western Section or Central Section (Bedford to Cambridge). We currently do not have any teams set up for the Eastern Section.

Thank you for your consideration.

Kind Regards

Associate Sponsor

East West Rail (Phase 2)

4th Floor

Victoria Square

Birmingham

27

Sent: 08.01.2020

Subject: Re: Norwich Victoria sidings - Land disposal

Thank you for the clarifying information below following our earlier discussions relating to the above referenced proposal.

Following consultation with our track team and Transition and Projects Director EMR confirm that we do not have any objections or further queries to the proposal.

Best Regards

Commercial Regulatory Access Manager



www.eastmidlandsrailway.co.uk

Prospect House

1 Prospect Place

Millennium Way

Pride Park

Derby

DE24 8HG

Annex 2

Dear Consultee,

Property: Grant of 29 year lease of Norwich Victoria Sidings to Equitix (Financial SPV) sub-let to Abellio East Anglia Limited and subsequent Franchisees

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If you have any queries as regards this proposal, please direct them to XX XX, XX XX, (tel: XX XX, email: XX XX). If future consultations of this nature should be directed differently to your organisation, please advise us of the appropriate contact details, so we may amend our records.

Yours faithfully,