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23 August 2018

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

Network licence condition 7 (land disposal): Watlington Road, Oxford

Decision

1. On 26 July 2018, Network Rail gave notice of its intention to dispose of land at Watlington Road, Oxford (the land), in accordance with paragraph 7.2 of condition 7 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 you have consulted. For the purposes of condition 7 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 that:
 - there is no evidence that current railway operations would be affected adversely;
 - future aspirations to reopen the remainder of the Cowley branch line to passenger traffic and the provision of new railway stations would not be precluded;
 - Network Rail is proposing to dispose of less land than it intended originally so that more is retained for operational purposes. Network Rail considers this should also be sufficient land for train operations if the potential need for a turn-back is realised. The revised sale boundary is shown on plan 6087337-2-B;
 - Network Rail has stated that the legal documentation will contain an appropriate restriction to prevent development that may prejudice the provision of a public transport system along the corridor; and
 - Network Rail has stated that the terms of the sale will include a covenant restricting the site from being used for residential development.



5. Therefore, based on all the evidence we have received and taking into account all the material facts and views relevant to our consideration under condition 7, 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, December 2013*,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 therefore concluded that the proposed disposal is not against the interests of users of railway services and that our consent should be granted.

A handwritten signature in blue ink, reading 'Les Waters', is positioned below the main text.

Les Waters

Duly authorised by the Office of Rail and Road

¹ Available from www.rail-reg.gov.uk/server/show/nav.150

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 | |
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| Site location and description | Land Warehouse and Sidings used as a stores and rail head facility by BMW (UK) Manufacturing Limited at Watlington Road Oxford |
| Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway) | The site is shown coloured blue on plan no 6087337-B-3. The sale will exclude the site and structure of the adjacent Watlington Road underbridge. |
| Clearance Ref: | Business Clearance CR/33741 dated 27 September 2017 Technical Clearance CR/33741 dated 23 February 2018 |
| Project No. | N/A |
| Ordnance survey coordinates | E: 455,525 N: 203,550 |
| Details of attached photographs (as required) | N/A |
| 2. Proposal | |
| Type of disposal | It was originally proposed to sell the freehold of the land coloured blue on plan no 6087337-B-3, however it is now proposed to sell the freehold of the land coloured blue on plan no 6087337-2-B. |
| Proposed party taking disposal | BMW (UK) Manufacturing Limited |
| Proposed use / scheme | The property is currently leased by Network Rail to BMW (UK) Manufacturing Limited for a term of years expiring in 2148. BMW use the property as a stores warehouse and as a railhead servicing their adjoining car assembly plant. |

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| Access arrangements to / from the disposal land | The site will be accessed direct from BMW's adjoining plant (shown verged pink on the plan) and also from Watlington Road. Vehicular access rights to Network Rail's retained operational land will be reserved out of the sale. |
| Replacement rail facilities (if appropriate) | N/A - it is anticipated that after completion of the disposal BMW will continue for the foreseeable future to operate the site as a railhead for the adjoining car assembly plant. |
| Anticipated rail benefits | Under the Hendy Review Network Rail has committed to the raising of £1.8bn of cash proceeds, via asset disposals, by 2019/20. Under Project Falcon a number freight sites, including the subject site, have been identified for disposal for the purpose of raising capital towards the £1.8 billion target. The money raised by the disposals will thus directly support investment in the wider railway. |
| Anticipated non-rail benefits | None |
| 3. Timescales | |
| Comments on timescales | It is anticipated the sale will be completed in autumn 2018 as part of a limited number of disposals of freight sites arising out of the "Project Falcon" freight estate review. |
| 4. Railway Related Issues | |
| History of railway related use | The use of the site in its current format as a stores warehouse and a railhead commenced around 2002 and has continued since then. Usage of rail to serve the car plant is understood to date back to the 1930's. |
| When last used for railway related purposes | The site is currently in use as a railhead for the adjoining BMW car assembly plant. |
| Any railway proposals affecting the site since that last relative use | N/A |

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| Impact on current railway related proposals | The site is recognised as the source of automotive freight traffic in the Western Route network specification. |
| Potential for future railway related use | There is an aspiration to re- open the Morris Cowley branch for passenger use, which could involve the construction of two new stations. Those aspirations do not currently extend to the part of the Morris Cowley branch that is leased to BMW, and which is the area we are proposing to sell. Network Rail's position is therefore that we can dispose of the lease held by BMW without impinging on the aspirations to reopen the remainder of the Morris Cowley branch for passenger traffic. |
| Any closure or station change or network change related issues | No but the sale will ensure the proposed sale boundary aligns with the connection agreement held by BMW relating to the site. |
| Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future | Access rights exercised by Network Rail over the site to the adjoining lineside will be retained under the disposal terms. No other impact on access rights is envisaged. |
| Position as regards safety / operational issues on severance of land from railway | <p>The disposal includes arrangements under which Network Rail or the purchaser will install new boundary fencing along parts of the railway boundary and sufficient fencing already exists for the rest.</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 troughing, 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> |

5. Planning History and Land Contamination

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| Planning permissions / Local Plan allocation (if applicable) | Under the Oxford Local Plan the rail corridor including the subject railhead is allocated as a protected GTE Corridor The Local Plan supports the principle of reopening the Cowley Branchline for a local passenger service. Legal documentation will contain an appropriate restriction so that development will not be allowed that may prejudice the provision of a high quality public transport system along the corridor. In addition the terms of sale will include a covenant restricting the site from being used for residential development. |
| Contamination / Environmental Issues (if applicable) | None relevant to this application. |

6. Local Authorities

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| Names & Email Addresses: | Oxfordshire County Council @oxfordshire.gov.uk Oxford City Council @oxford.gov.uk |
| Local Transport Authorities: | N/A |
| Other Relevant Local Authorities: | N/A |

7. Internal approval to consult

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| Recommendation: | Based on the above, I recommend that Network Rail consults on the terms of 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: Senior Surveyor | |
| Signed..... | Date...23 April 2018 | |
| Authorised by (name): | Authoriser's job title: Property Services Manager | |

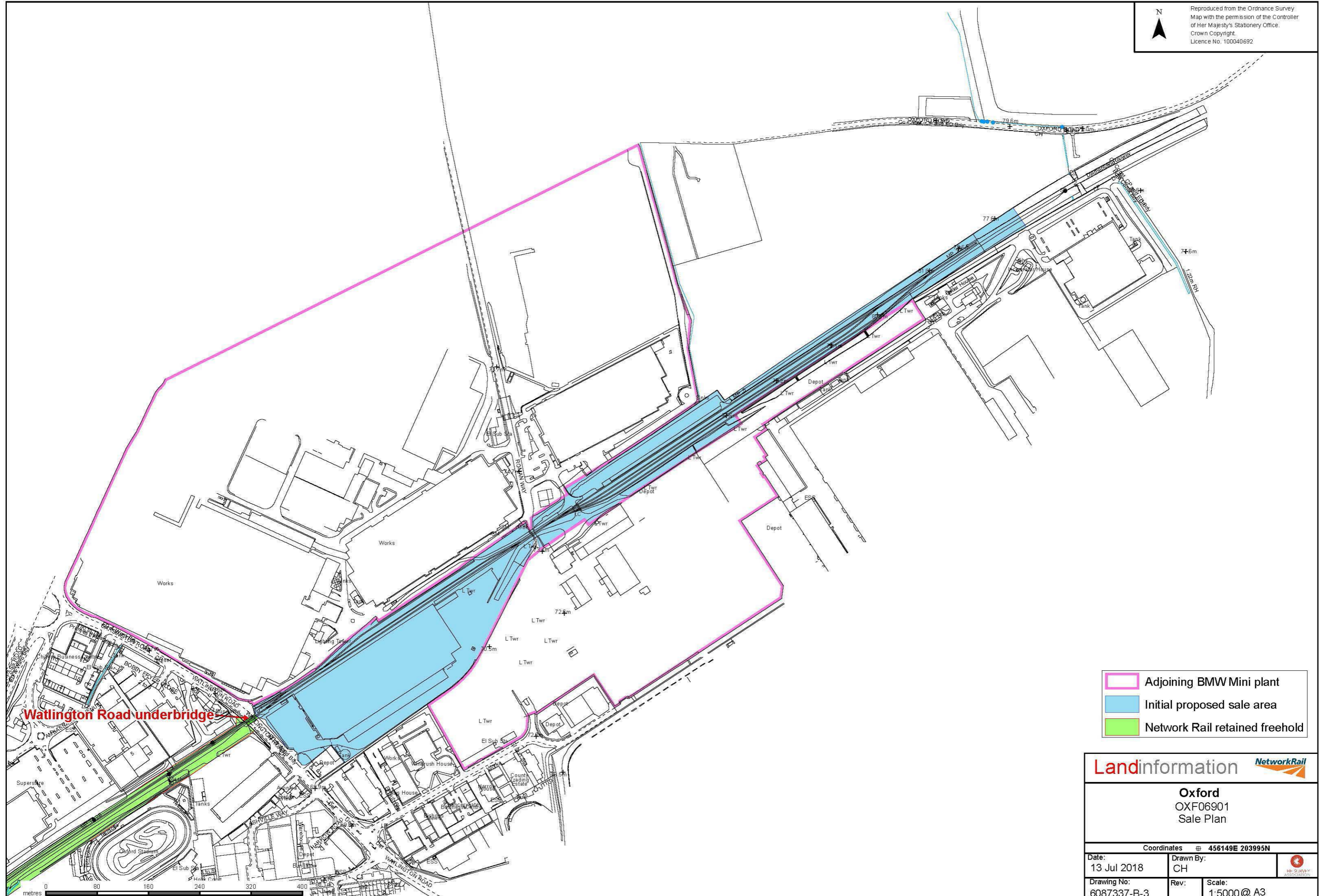
8. Consultations

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| Internal consultation | Internal clearance has been obtained for the proposal. The proposed sale documentation will reflect the stipulations requested by Network Rail's internal consultees. The most significant stipulation is a request to exclude from the proposed disposal an area of land and sidings (shown verged red on plan no 6087337-2-B attached) on the east side of the Watlington Road underbridge. The amended proposed sale area is thus shown coloured blue on plan no 6087337-2-B attached. Network Rail's retained land is shown coloured green on the plan. |
| Summary of position as regards external consultations | <p>The property is currently leased by Network Rail to BMW (UK) Manufacturing Limited for a term of years expiring in 2148. BMW use the property as a stores warehouse and as a railhead servicing their adjoining car assembly plant. The proposal will see Network Rail selling its freehold interest in the site. It should be noted that the Freight Operating Companies have already been consulted regarding the proposed freehold disposal and have confirmed in writing that they have no objections to the proposed sale or any associated LC7 application or network change related to it.</p> <p>26 stakeholders were consulted, with 22 confirming they had no comments or objections. 4 stakeholders (WH Malcolm, Chiltern Railway Company, Oxford City Council, and East West Rail Company) lodged initial objections which, following discussion, were subsequently withdrawn.</p> |
| Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward | Not applicable |

9. Internal approval to dispose

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| Recommendation: | Based on the above, I recommend that Network Rail proceeds with the disposal of the land coloured blue on plan no 6087337-2-B | |
| 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: Senior Surveyor | |

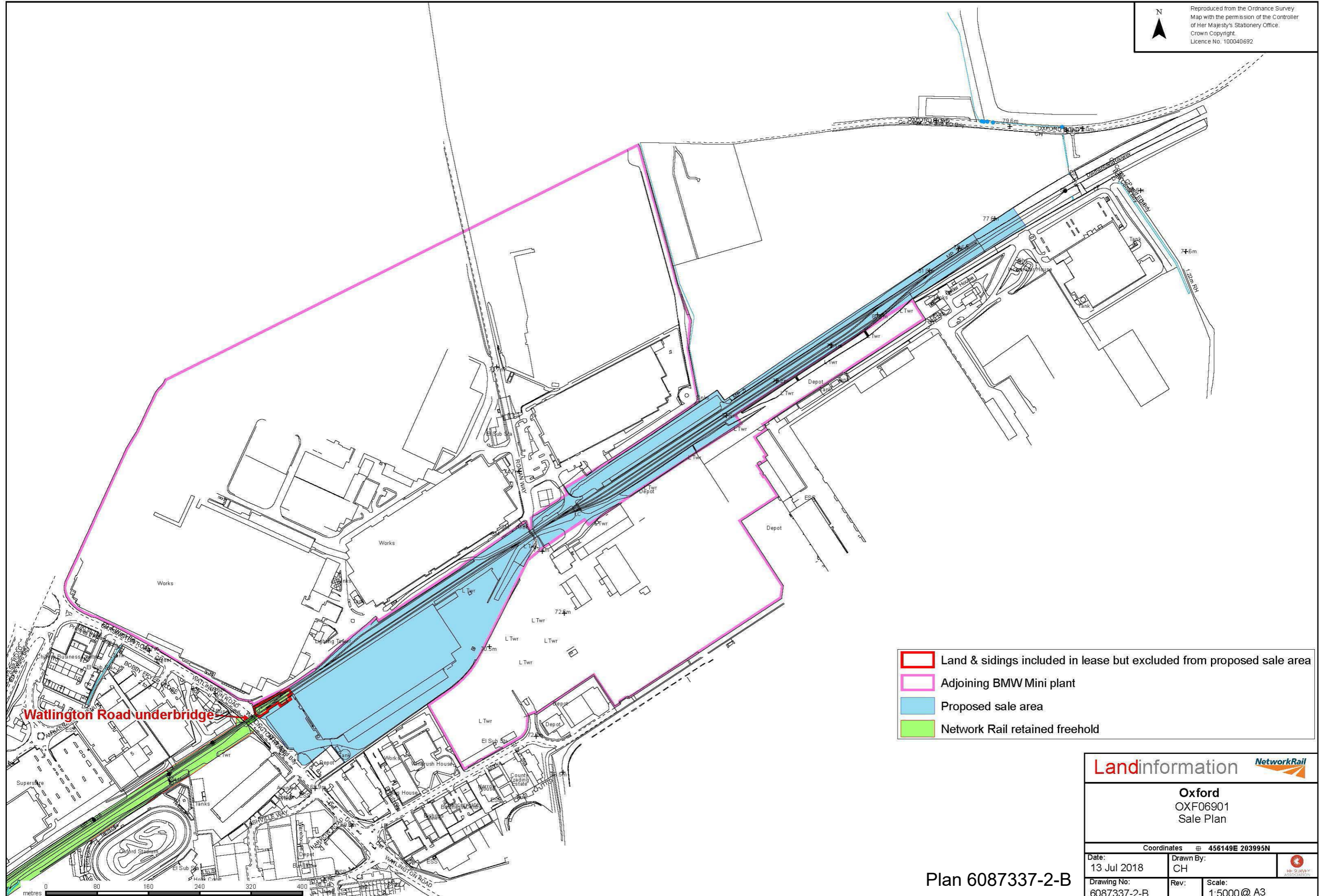
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| Signed..... | Date...13 July 2018 |
| Authorised by (name): | Authoriser's job title: Property Services Manager |
| Signed..... | Date..... |



Watlington Road underbridge

- Adjoining BMW Mini plant
- Initial proposed sale area
- Network Rail retained freehold

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| Landinformation | |
| Oxford OXF06901 Sale Plan | |
| Coordinates # 456149E 203995N | |
| Date: 13 Jul 2018 | Drawn By: CH |
| Drawing No: 6087337-B-3 | Rev: Scale: 1:5000 @ A3 |



- Land & sidings included in lease but excluded from proposed sale area
- Adjoining BMW Mini plant
- Proposed sale area
- Network Rail retained freehold

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| Landinformation | |
| Oxford OXF06901 Sale Plan | |
| Coordinates # 456149E 203995N | |
| Date: 13 Jul 2018 | Drawn By: CH |
| Drawing No: 6087337-2-B | Rev: Scale: 1:5000 @ A3 |

Plan 6087337-2-B

CONSULTATION REPORT

relating to

PROPOSED LAND DISPOSAL

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

Oxford–Land and Sidings off Watlington Road Oxford as shown coloured blue on the attached Plan No. 6087337-B-3

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

Summary of position regarding responses:

26 stakeholders were consulted, with 22 confirming they had no comments or objections. 4 stakeholders (WH Malcolm, Chiltern Railway Company, Oxford City Council, and East West Rail Company) lodged initial objections which, following discussion, were subsequently withdrawn.

WH Malcolm initially objected to the proposal in April 2018 on the basis the site was an active railfreight facility, but on being given details of other sites available for railfreight use they withdrew their objection in May 2018.

Chiltern Railway Company requested that restrictions be placed on the use of the railway alignment in the sale area to protect possible future rail development on the

Cowley branch in the light of proposed residential development in the vicinity. Network Rail responded by advising that there is very limited ability under the existing lease to compel the lessee to make the rail alignment available for passenger use. Additionally Network Rail pointed out that the Local Plan envisaged two new passenger stations being constructed on land to the west of the sale area, that the majority of residential development appeared to be taking place to the south of the sale area rather than to the east of it, that passenger schemes appeared feasible without using any of the proposed sale area, and that the degree of integration of the railway alignment into BMW's site made it difficult for such to be used for passenger services. Chiltern subsequently withdrew their objection on 4 June 2018.

East West Rail Company also wished to see the rail alignment in the sale area protected for rail use and the landowner compelled to co operate with proposals to reopen the line for passenger services. Network Rail responded with similar points as referred to above, and as a result East West Rail Company withdrew their objection on 4 June 2018, noting that option of pursuing the protection of the alignment through the local planning system remained open.

Oxford City Council raised a concern that a land disposal may prevent passenger trains from turning back on the branchline if new passenger stations were ever built on the branchline to the west of the sale area. Network Rail responded advising that whilst no scheme existed it appeared feasible to provide a turnback facility on the land to the west of the sale area by installing a pair of lines to the west, one of which could then function as a turnback. In addition as it is proposed to retain ownership of a short section of line lying to the east of the Watlington Road bridge, this retained area may create additional turnback options for short trains. Oxford City Council responded saying that if Network Rail was satisfied that the sale of the land would not prejudice any long-term operation of the retained branchline for passenger traffic then this would be acceptable.

Please see the consultation report below for full details of these email exchanges.

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 | c2c Rail | | Y | 30/4/2018 | No objection | |
| 2 | Chiltern Railway Company | | Y | 4/6/2018 | <p>Initial Response</p> <p>Chiltern have aspirations to expand at Oxford to meet the industry demands and part of those aspirations has been a station east of Cowley to provide services on the Cowley branch. This proposal we believe hinders industry growth and capacity therefore we would like Network Rail to ensure that there is sufficient protections in place to protect future rail development. We would seek suitable protections that mean the course of the railway through the site cannot be developed for any purpose other than railway use.</p> <p>It is our understanding that there are residential developments planned within the vicinity of the BMW plant which would benefit from passenger services on the Cowley line, and ease the capacity issues at Oxford Station.</p> <p>While it is understood that there are other issues to overcome before these services can be introduced, we do believe it is unwise to dispose of this site without ensuring adequate protections are in place to ensure future use of the railway is protected.</p> <p>NR Response</p> <p>The current lease granted to BMW has a term which could run for another 130 years. Under the lease Network Rail does not have any capability to compel BMW to co-operate with any proposals to reintroduce passenger traffic through their site. Any proposal to introduce passenger traffic would</p> | |

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| | | | | | <p>therefore need to be negotiated with BMW whether they have a leasehold or freehold interest.</p> <p>We do have the ability to break the existing lease early but these rights are limited – we can only end the lease at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028. We cannot include an arrangement of this nature in a freehold disposal due to the need to achieve a clean sale to comply with financial requirements.</p> <p>Network Rail is working with Oxford City Council and others to develop the Oxfordshire Corridor Study and this may explore proposals to reopen the section of the Cowley Branch to the west of the proposed disposal area, with linked proposals to open two new passenger stations on this section of line. We have secured internal approval to proceed with a sale of the lease to BMW on the basis that</p> <ul style="list-style-type: none"> - No branch line passenger schemes had envisaged using either the BMW site or the land east of the site - The passenger schemes previously proposed appeared to be feasible without using the BMW site of the land east of the site - The nature of the site (substantially integrated into the end user's operations) meant that reconfiguration for passenger use was deemed to be highly unlikely - We had received no objection from local planning authorities, and discussions with stakeholders suggested that the proposed development sites are to the south, not the east, of the current branch line <p>Regardless as to who actually owns the BMW lease area, there is of course scope for the local planning authority to decide what future land use might be permissible on the line of the former railway if the existing rail freight operations ever ceased.</p> <p>Chiltern Response</p> <p>We will withdraw our comments based on the response.</p> | |
| 3 | Eurostar UK | | Y | 1/05/2018 | No comment | |

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| 4 | Great Western Railway | | Y | 23/5/2018 | GWR is fine with this thank you | |
| 5 | Grand Central / Grand Union | | Y | 29/5/2018 | No comments | |
| 6 | London and South Eastern Railway | | Y | 23/4/2018 | Southeastern has no comment on this proposal. | |
| 7 | Merseyrail Electrics 2002 | | Y | 23/4/2018 | We have no objections, thanks | |
| 8 | Northern Rail | | Y | 24/4/2018 | no objections | |
| 9 | XC Trains Limited (t/a CrossCountry) | | Y | 14/5/2018 | No comment | |
| 10 | COLAS Freight | | Y | 24/4/2018 | No comment | |
| 11 | Direct Rail Services Limited | | Y | 11/5/2018 | No comments. | |
| 12 | DB Cargo UK | | Y | 25/6/2018 | No objection | |
| 13 | Freight Transport Association | | Y | 23/5/2018 | No comment | |
| 14 | Freightliner Limited | | Y | 23/4/2018 | Following recent 'Project Falcon sign off' of this site, I can confirm that Freightliner has no comment to make on this proposal | |
| 15 | GB Railfreight Limited | | Y | 25/5/2018 | No objections | |
| 16 | Rail Freight Group | | Y | 24/4/2018 | Ok with RFG | |
| 17 | West Coast Railway Company | | Y | 14/05/2018 | No comments | |

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| 18 | Association of Community Partnerships of Rail | | Y | 24/4/2018 | No comment | |
| 19 | British Transport Police | | Y | 3/5/2018 | Regarding the land disposal at Oxford this is justified as long as the safety and security of the railway is not compromised and standards are maintained or where needed improved. I have reviewed the plan OFO06901 drawing no 6087337 – B - 3 and also the land disposal evaluation form dated 10th April 2018, and I am happy to approve this application | |
| 20 | Passenger Focus (Rail Passenger Council) | | Y | 24/4/2018 | No objection | |
| 21 | DfT | | Y | 8/5/2018 | No comments | |
| 22 | WH Malcolm | | Y | 7/5/2018 | Original WH Malcolm response: . I presume there are alternative rail facilities readily available in the surrounding area without the need for significant capital investment and this is the justification for the sale. Please provide details of the alternative sites in the area which are available. NR response: I can confirm that Network Rail does own other sites in the region that can and do support railfreight activities. Having checked our website we are currently adverting railfreight sites to let at Southall, West Drayton, Park Royal, and Basingstoke, although some of these are under offer at the time of writing. Additionally we are currently looking at additional land being made available to let at Banbury SSFS and bringing part of the SSFS at Luton into use for railfreight purposes WH Malcom response: No objections | |
| 23 | Oxfordshire Council County | | Y | 4/6/2018 | No concerns | |

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| 24 | Oxford City Council | | Y | 26/6/2018 | <p>Original Oxford CC response:</p> <p>I am familiar with the site and the current operations associated with the Cowley Branchline. You have correctly identified that the Council supports the re-instatement of the line for passenger traffic and this is reflected in policies in the Local Plan, Core Strategy and will also be included in the emerging Local Plan. The line itself and land adjacent to it have been safeguarded for the purpose of providing the re-instatement to take place and the delivery of new railway stations. Initial indications would suggest that a site close to the Oxford Science Park and Oxford Business Park are likely to be strongly considered as part of any re-instatement.</p> <p>Whilst I note the current long lease that BMW have over the land in question it is my view that the sale of the land would potentially enable BMW to consider developing parts of the site that may be prejudicial to the future development of the Cowley Branchline for passenger traffic. There may other conflicts if they become freehold owners of land that is then required in association with the branchline. I have included below an extract from the Council's Local Plan policy map which shows the land highlighted in red as the protected land for the re-instatement of the railway for passenger traffic and the circled red areas along its route (3x) for the potential development of railway stations.</p> <p>A zoomed extract (below) shows the area in the vicinity of the Watlington Road under bridge. The red circle is the potential site for a railway station to serve the Business Park. I would have specific concerns that any sale of land may present further issues for the operation of a re-instatement of passenger traffic on the land. If the land was sold but a railway station for the Business Park was developed then there would not likely be sufficient track beyond the station to allow trains to double back and it would limit any opportunity to stable trains beyond the railway station.</p> <p>I would therefore raise objections that in the absence of the information to show otherwise that the sale of the land may be prejudicial to the re-instatement of the Cowley branchline.</p> <p>NR Response:</p> | |
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| | | | | <p>We note the local plan protects the branchline to the west of Watlington Road, but doesn't suggest any part of the branchline east of Watlington Road should be protected for rail use. The proposed disposal of the BMW lease area does not therefore seem to be in conflict with this zoning as we are proposing to retain all our land west of Kidlington Road.</p> <p>At present all of our land east of Kidlington Road is leased to BMW. The land is held on a very long lease which has another 130 years to run. We do have the ability to break the existing lease early but these rights are very restricted – we can only end the lease early at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028.</p> <p>As a result of the existing lease, if we wanted to create a new turn back on the east side of Watlington Road we could only do this currently with the voluntary agreement of BMW – so by completing the proposed sale we are not really prejudicing our position in this regard to the one we hold now.</p> <p>I also should point out that we have provisionally agreed with BMW that we will actually be excluding from the sale a short section of track on the east side of Watlington Road for other operational reasons – the revised proposed sale area is shown coloured blue on the attached plan no 6087337-2. The sale, if completed, would leave a section of track approx. 65m long in our ownership and control on the east side of Watlington Road.</p> <p>This section of track will be physically long enough to accommodate a turnback facility for a two-car service, which aligns with train length assumptions made by previous Cowley passenger schemes. We recognise that it would not be long enough to accommodate a turnback facility for a four, six, or eight car service, which would be possibilities.</p> <p>Whilst no scheme currently exists for the reintroduction of a passenger service, if a longer turnback was needed as part of a future proposal, this could potentially be provided without using any land on the east of Watlington Road by providing a pair of lines west of Watlington Rd (e.g. at the site of the previously proposed business park station) so that a train could turn back in the platform whilst a second line remains free. It is also possible that services could turn back on the single line, without need for a separate turnback</p> | |
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| | | | | | <p>facility.</p> <p>In summary I do not believe the proposed sale is contrary to current town planning zoning, and does not restrict the options for creating a turnback anymore than at present due to the existence of the long lease to BMW – in fact there is an argument that by releasing a short section of line on the east side of Watlington Road back to Network Rail it is perhaps creating more future flexibility than currently exists.</p> <p>A copy of plan no 6087337-2 was sent to the Council after which time the Council responded:</p> <p>Thank you for the additional information you provided us with. I understand that you have put in place aspects of the agreement of the property sale that would allow a turnback facility for the type of rolling stock that is envisaged to operate in the event that the Cowley line is restored to passenger working. If you are satisfied with the provision that has been made and the sale of the land would not prejudice any long-term operation of this line for passenger traffic then this would be acceptable.</p> | |
| 25 | East West Railway Company | | Y | 4/6/2018 | <p>Initial response from EWRCo :</p> <p>The proposed disposal lies outside of the area with which the East West Railway Company are directly concerned. However, we note the potential of the disposal to impact on the proposals of others to provide passenger services on the Cowley Branch. The disposal site includes the alignment of the former Princes Risborough - Oxford line through the BMW site. This alignment extends beyond the disposal site to the east, towards Horspath. Our understanding is that there are proposals for residential development immediately beyond the BMW plant which could benefit from the extension of passenger services to a new station within or adjacent to the development. Such an extension could potentially improve the viability of proposals to reintroduce passenger services on the Cowley line.</p> <p>The introduction of passenger services on the Cowley branch has the potential to ease the current shortage of platform capacity at Oxford station by allowing services that currently terminate and lay-over at Oxford to be extended on to the branch. The freeing up of platform capacity at Oxford</p> | |

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| | | | | <p>would be a direct benefit to East West Rail services and could potentially avoid the need for additional expenditure to increase platform capacity at the station.</p> <p>While we appreciate there are a number of operational and other issues that would need to be overcome before such a passenger service could be brought to fruition, it would be short-sighted to dispose of this site without ensuring adequate protections are in place to facilitate the future use of the railway alignment through the site for the extension of passenger services.</p> <p>While we do not wish to stand in the way of the proposed disposal, we would like to see suitable restrictions on the use of that part of the site comprising the railway alignment. Such restrictions should prevent the use of that part of the site for any form of non-railway use and compel the owner of the site to co-operate with any future proposals to extend passenger services through the site.</p> <p>NR Response:</p> <p>Under the current lease granted to BMW (which could run for another 130 years) Network Rail does not have any capability to compel BMW to co-operate with any proposals to reintroduce passenger traffic through their site. If we do proceed with a sale we are not therefore really losing an ability to enforce co-operation – any such proposals to introduce passenger traffic would need to be negotiated with BMW whether they have a leasehold or freehold interest.</p> <p>We do have the ability to break the existing lease early but these rights are limited – we can only end the lease at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028. We cannot include an arrangement of this nature in a freehold disposal due to the need to achieve a clean sale to comply with financial requirements.</p> <p>Network Rail is working with Oxford City Council and others to develop the Oxfordshire Corridor Study and this may explore proposals to reopen the section of the Cowley Branch to the west of the proposed disposal area, with linked proposals to open two new passenger stations on this section of line. We have secured internal approval to proceed with a sale of the lease to</p> | |
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| | | | | <p>BMW on the basis that</p> <ul style="list-style-type: none"> - No branch line passenger schemes had envisaged using either the BMW site or the land east of the site - The passenger schemes previously proposed appeared to be feasible without using the BMW site of the land east of the site - The nature of the site (substantially integrated into the end user's operations) meant that reconfiguration for passenger use was deemed to be highly unlikely - We had received no objection from local planning authorities, and discussions with stakeholders suggested that the proposed development sites are to the south, not the east, of the current branch line <p>Regardless as to who actually owns the BMW lease area, there is of course scope for the local planning authority to decide what future land use might be permissible on the line of the former railway if the existing rail freight operations ever ceased.</p> <p>We therefore remain of the view that the proposed sale will not adversely affect any reasonably foreseeable proposals to reopen the branch line for passenger services.</p> <p>EWRCo response:</p> <p>While this feels like a lost opportunity to ensure the railway alignment is not blocked by development in future, we understand the desire for Network Rail to achieve a clean sale. We note that:</p> <ul style="list-style-type: none"> • This disposal only affects EWRCo indirectly • No party internal to Network Rail has objected to the disposal • The option of pursuing the protection of the alignment through the local planning system remains open <p>Therefore, it does not appear appropriate for EWRCo to sustain an objection</p> | |
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|----|----------------|--|---|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| | | | | | to this disposal. Please consider our objection withdrawn. | |
| 26 | East West Rail | | Y | 23/5/2018 | <p>EWR initial response Have you consulted with the Western Route Sponsor for the Thames Valley Area Chris Nash and System Operator Matt Haywood? The infrastructure concerned is on Western Route and there is an ongoing study looking at the feasibility of running passenger trains along the Cowley Branch.</p> <p>Other than the above I have no further comments to add.</p> <p>NR Response: The proposal has been through our internal NR clearance process and has been cleared for sale. I have had some direct conversations with Matt Haywood, who is comfortable that the proposal will not impact on any proposals to reopen traffic on the Cowley Branch. Given this, I wouldn't propose to speak to Chris unless you or Matt feel he would have a different concern other than the reopening of the branch to passenger traffic.</p> | |

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

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

Annex 1 – Consultee Responses

1 c2c Rail

From: @c2crail.net

Sent: 30 April 2018 08:52

To:

Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

Good morning

No objection from c2c on the below proposal.

Regards

Property and Projects Manager

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



W: www.c2c-online.co.uk

2 Chiltern Railway Company

From: @chilternrailways.co.uk

Sent: 04 June 2018 10:08

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

We will withdraw our comments based on the response below.

Regulatory Contracts Manager
Chiltern Railways

Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ
@chilternrailways.co.uk

From: @networkrail.co.uk
Sent: 04 June 2018 09:57
To: @chilternrailways.co.uk
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
Importance: High

Hi

Thanks for your reply – just to clarify does that mean you do not wish to alter your comments made in your email dated 24 May, or conversely, that you wish to withdraw those comments in the light of my reply and that you now have no comments on the proposal?

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @chilternrailways.co.uk
Sent: 04 June 2018 09:51
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

Many thanks for your reply.

Chiltern have no further comments

Regulatory Contracts Manager
Chiltern Railways

Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ
[@chilternrailways.co.uk](mailto:chilternrailways.co.uk)

From: [@networkrail.co.uk](mailto:networkrail.co.uk)
Sent: 04 June 2018 09:26
To: [@chilternrailways.co.uk](mailto:chilternrailways.co.uk)
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hello

Further to our conversation last week are you able to advice whether you are able to reconsider your previous reply to the consultation in the light of my email of 25th May?

Kind regards,

Senior Surveyor Freight | Network Rail Property
07799 337043

From:
Sent: 25 May 2018 08:55
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hello

Thank you for your below response to our consultation which we have carefully considered.

The current lease granted to BMW has a term which could run for another 130 years. Under the lease Network Rail does not have any capability to compel BMW to co-operate with any proposals to reintroduce passenger traffic through their site. Any proposal to introduce passenger traffic would therefore need to be negotiated with BMW whether they have a leasehold or freehold interest.

We do have the ability to break the existing lease early but these rights are limited – we can only end the lease at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028. We cannot include an arrangement of this nature in a freehold disposal due to the need to achieve a clean sale to comply with financial requirements.

Network Rail is working with Oxford City Council and others to develop the Oxfordshire Corridor Study and this may explore proposals to reopen the section of the Cowley Branch to the west of the proposed disposal area, with linked proposals to open two new passenger stations on this section of line. We have secured internal approval to proceed with a sale of the lease to BMW on the basis that

- No branch line passenger schemes had envisaged using either the BMW site or the land east of the site
- The passenger schemes previously proposed appeared to be feasible without using the BMW site of the land east of the site
- The nature of the site (substantially integrated into the end user's operations) meant that reconfiguration for passenger use was deemed to be highly unlikely
- We had received no objection from local planning authorities, and discussions with stakeholders suggested that the proposed development sites are to the south, not the east, of the current branch line

Regardless as to who actually owns the BMW lease area, there is of course scope for the local planning authority to decide what future land use might be permissible on the line of the former railway if the existing rail freight operations ever ceased.

We therefore remain of the view that the proposed sale will not adversely affect any reasonably foreseeable proposals to reopen the branch line for passenger services.

Would you be willing to consider amending your previous response in the light of the above comments?

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @chilternrailways.co.uk

Sent: 24 May 2018 09:40

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

Sorry for the delay in getting back to you.

But please see Chiltern Railways response below.

Chiltern have aspirations to expand at Oxford to meet the industry demands and part of those aspirations has been a station east of Cowley to provide services on the Cowley branch. This proposal we believe hinders industry growth and capacity therefore we would like Network Rail to ensure that there is sufficient protections in place to protect future rail development. We would seek suitable protections that mean the course of the railway through the site cannot be developed for any purpose other than railway use.

It is our understanding that there are residential developments planned within the vicinity of the BMW plant which would benefit from passenger services on the Cowley line, and ease the capacity issues at Oxford Station.

While it is understood that there are other issues to overcome before these services can be introduced, we do believe it's unwise to dispose of this site without ensuring adequate protections are in place to ensure future use of the railway is protected.

We welcome any feedback and happy to comment further.

Regulatory Contracts Manager
Chiltern Railways

Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ
@chilternrailways.co.uk

www.chilternrailways.co.uk

3 Eurostar UK

From: @eurostar.com

Sent: 01 May 2018 12:01

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

No comment from EIL,
Thanks

PA to Chairman and to Company Secretary

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW

eurostar.com

4 Great Western Railway

From: @gwr.com

Sent: 23 May 2018 12:57

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
GWR is fine with this thank you

Network Access Manager | Great Western Railway

1 Milford Street | Swindon | SN1 1HL

@GWR.com

First Greater Western Limited | Registered in England and Wales number 05113733

Registered office: Milford House, 1 Milford Street, Swindon SN1 1HL.

5 Grand Central / Grand Union

From: @grandcentralrail.com

Sent: 29 May 2018 19:03

To:

Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

Hi

Thank you for your email. GC has no comment on this proposal.

Regards

Chief Operating Officer
Grand Central Railway

6 London and South Eastern Railway

From: @southeasternrailway.co.uk

Sent: 23 April 2018 11:51

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Good Morning

Thank you for the opportunity to review the below.

Southeastern have no comment on this proposal.

Kind Regards

[Access Contracts Business Partner](#)

southeasternrailway.co.uk

southeastern

[Friars Bridge Court](#)

[41-45 Blackfriars Road](#)

[London, SE1 8NZ](#)

7 Merseyrail Electrics 2002

From: @merseyrail.org

Sent: 23 April 2018 11:25

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

We have no objections, thanks

**Legal & Contract Assistant
Merseyrail**

| | |
|-------|------------------------------------------------------------|
| Tel | |
| Mob | |
| Email | @merseyrail.org |
| Web | www.merseyrail.org |

8 Northern Rail

From: @northernrailway.co.uk

Sent: 24 April 2018 09:01

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Northern have no objections to the below proposal.

Thanks,

9 XC Trains Limited (t/a CrossCountry)

From: @crosscountrytrains.co.uk
Sent: 14 May 2018 10:52
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

I can confirm that XC Trains Ltd has no comment on this proposed disposal.

Kind regards

Station Contracts Manager CrossCountry

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

10 COLAS Freight

From: @colastrail.co.uk
Sent: 24 April 2018 18:27
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

No comment on proposed disposal



Property & Estate Manager

Tel. - Mob.
@colastrail.co.uk

COLAS RAIL LTD
, West Goods Yard, Dundonald Road, Wimbledon, London, SW19 3QJ, United Kingdom
www.colastrail.co.uk



11 Direct Rail Services Limited

From: @drsl.co.uk

Sent: 11 May 2018 15:14

To:

Cc:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

DRS have no comments.

Best Regards,

Procurement Apprentice

Direct Rail Services Ltd

Regents Court

Baron Way

Carlisle

CA6 4SJ

E: @drsl.co.uk

12 DB Cargo UK

From: @deutschebahn.com

Sent: 25 June 2018 15:27

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

I can confirm that DB Cargo (UK) Limited has no objection to the proposed land disposal as described.

Yours,

Rail Network Manager
DB Cargo (UK) Limited
310 Goswell Road

London EC1V 7LW
Tel.

From December 2016 my e-mail address will be @deutschebahn.com and all previous addresses will cease to function.

Network Change and other consultations, e.g. land disposals, should be e-mailed to: DBCargoConsultations@deutschebahn.com

From: @networkrail.co.uk
To: @deutschebahn.com
Date: 18/06/2018 13:13
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Have you had a response re the below?

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From: @deutschebahn.com
Sent: 05 June 2018 11:14
To:
Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

I am just checking that we don't have any interest in running nostalgia charter services down to Cowley, which might require the use of the run-round which is being sold.

Der DB-Konzern im Internet >> <http://www.deutschebahn.com>

13 Freight Transport Association

From: @fta.co.uk
Sent: 23 May 2018 20:43
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Apologies Peter FTA has no comment.

14 Freightliner Limited

From: @Freightliner.co.uk
Sent: 23 April 2018 14:08
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

Following recent 'Project Falcon sign off' of this site, I can confirm that Freightliner has no comment to make on this proposal

Regards

15 GB Railfreight Limited

From: @gbrailfreight.com
Sent: 25 May 2018 17:55
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

No objections from GB Railfreight.

Regards,
Head of Capacity Planning,
GB Railfreight Ltd.,
3rd Floor,
55 Old Broad Street,
London, EC2M 1RX.

E-mail: @gbrailfreight.com.

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

16 Rail Freight Group

From: @rfg.org.uk

Sent: 24 April 2018 08:01

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Ok with RFG

Executive Director

Rail Freight Group

7 Bury Place

London

WC1A 2LA

@rfg.org.uk

17 West Coast Railway Company

From: @aol.com

Sent: 14 May 2018 14:27

To:

Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

No comments

WCR

E @aol.com

18 Association of Community Rail Partnerships

From: @acorp.uk.com

Sent: 24 April 2018 14:35

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Dear

No comment from ACoRP
Senior Operations Manager



Mobile

Web: acorp.uk.com

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

19 British Transport Police

From: @btp.pnn.police.uk

Sent: 03 May 2018 11:48

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Good morning,
Please note the attached.

Regards

Business Support Manager

Strategy & Performance Department

6th Floor, FHQ

Camden

NW1 9LN

British Transport Police

Email:

@btp.pnn.police.uk

www.btp.police.uk

Sent: 25 April 2018 10:39

To:

Cc:

Subject: Oxford Lan Disposal

Regarding the land disposal at Oxford this is justified as long as the safety and security of the railway is not compromised and standards are maintained or where needed improved.

I have reviewed the plan OFO06901 drawing no 6087337 – B - 3 and also the land disposal evaluation form dated 10th April 2018, and I am happy to approve this application.

Many Thanks.

Designing Out Crime Officer DOCO
Designing Out Crime Unit
Force Headquarters
British Transport Police

25 Camden Road
London NW1 9LN
email @btp.pnn.police.uk
www.btp.police.uk

20 Passenger Focus (Rail Passenger Council)

From: @transportfocus.org.uk
Sent: 24 April 2018 11:14
To:
Subject: Re: LC7 Consultation- Proposed sale of land at Oxford 2004e19

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

the area to be disposed of comprises land and sidings to the east of the bridge over the B480 Watlington Road;
it is currently leased to BMW (UK) Manufacturing Limited (BMW) until 2148;
it is to be sold, freehold, to BMW;
its current use as warehousing and a railhead will continue;
its use for housing will be restricted by covenant;
the sale will not prevent any future restoration of passenger service over the railway from Kennington Junction;
Network Rail will retain access rights;
the sale is expected to be complete in the autumn of 2018.

Transport Focus has no objection to the proposed disposal.

Regards,

21 DFT

From: @dft.gov.uk

Sent: 08 May 2018 09:45

To:

Subject: FW: LC7 Consultation- Proposed sale of land at Oxford- Due 11 May

Hi

Thanks for this. No comments from DfT

**Briefing and Correspondence Manager, Rail Network Services- West, Department for Transport
4/28**

22 WH Malcolm

From: @whm.co.uk

Sent: 07 May 2018 13:22

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Thanks

I confirm I have no objections to the proposal.

Regards

From: @networkrail.co.uk

Sent: 02 May 2018 09:08

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Thank you for your below email.

I can confirm that Network Rail does own other sites in the region that can and do support railfreight activities. Having checked our website we are currently advertising railfreight sites to let at Southall, West Drayton, Park Royal, and Basingstoke, although some of these are under offer at the time of writing. Additionally we are currently looking at additional land being made available to let at Banbury SSFS and bringing part of the SSFS at Luton into use for railfreight purposes

I hope this will enable you to withdraw your objection

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @whm.co.uk

Sent: 24 April 2018 08:05

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Please treat this response as an objection. Subject to your responses I am prepared to withdraw the objection.

Network Rail has made clear that it will not grant leases of rail sites unless they include unencumbered termination rights linked to levels of rail use. It is understood this is due to a scarcity of such sites and ensures availability long term.

Selling this site is contrary to the principles you are following. I presume there are alternative rail facilities readily available in the surrounding area without the need for significant capital investment and this is the justification for the sale.

Please provide details of the alternative sites in the area which are available.

Contracts, Rail & Estate Management | W H Malcolm Ltd

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

Email:

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

23 Oxfordshire County Council

From: @Oxfordshire.gov.uk

Sent: 04 June 2018 12:14

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Thanks, I thought we had already responded to this, we have certainly been in touch with the DfT about it.

Just to confirm that we have no concerns about the proposals

Regards

Policy & Strategy Manager

Communities

Oxfordshire County Council

www.oxfordshire.gov.uk

24 Oxford City Council

From: @oxford.gov.uk

Sent: 26 June 2018 12:00

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Dear

Sorry for the delay in responding. Thank you for the additional information you provided us with. I understand that you have put in place aspects of the agreement of the property sale that would allow a turnback facility for the type of rolling stock that is envisaged to operate in the event that the Cowley line is restored to passenger working. If you are satisfied with the provision that has been made and the sale of the land would not prejudice any long-term operation of this line for passenger traffic then this would be acceptable.

Regards

Development Management Team Leader (West) | Development Management | Planning, Sustainable Development and Regulatory Services | Oxford City Council,
St. Aldates Chambers, 109-113 St Aldates, Oxford, OX1 1DS | DD: | @oxford.gov.uk |

Website: www.oxford.gov.uk | Follow us on Twitter: www.twitter.com/OxfordCity | Like us on Facebook: www.facebook.com/OxfordCityCouncil

From: @networkrail.co.uk
Sent: 25 June 2018 16:15
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
Importance: High

Hello

I just wondered if you had chance to catch up regarding the below with return to the office today?

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From:
Sent: 19 June 2018 17:54
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Thanks for letting me know I'll hopefully hear from you or Rob early next week. If you need anything else from me don't hesitate to ask.

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From: @oxford.gov.uk
Sent: 19 June 2018 17:38
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

I am afraid that I am going to see on his return next week before I could offer a view.

Regards

Development Management Services Manager | Planning and Regulatory Services | Oxford City Council, St. Aldates Chambers, 109-113 St Aldates, Oxford, OX1 1DS | DD: | @oxford.gov.uk |

Website: www.oxford.gov.uk | Follow us on Twitter: www.twitter.com/OxfordCity | Like us on Facebook: www.facebook.com/OxfordCityCouncil

From: @networkrail.co.uk
Sent: 19 June 2018 16:29
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
Importance: High

Hello

Apologies for chasing so soon, did you have chance to look at the below today?

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From:
Sent: 15 June 2018 08:31
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hello

Please find enclosed the plan.

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From: @oxford.gov.uk
Sent: 14 June 2018 17:46
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Can you send me please plan 6087337-2 so I can see the blue bit you refer too.

Regards

Development Management Services Manager | Planning and Regulatory Services | Oxford City Council, St. Aldates Chambers, 109-113 St Aldates, Oxford, OX1 1DS | DD: I
@oxford.gov.uk |

Website: www.oxford.gov.uk | Follow us on Twitter: www.twitter.com/OxfordCity | Like us on Facebook: www.facebook.com/OxfordCityCouncil

From: @networkrail.co.uk
Sent: 14 June 2018 15:38
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hello

Many thanks for your call this afternoon.

Just to confirm that the original email below dated 29th May is all I have received from. Our response to that, which hopefully addresses the concerns raised, is given in my attached email dated 11 June.

If you are able to let me have a response on behalf of the Council in the light of my email of 11 June that would be very much appreciated.

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property

From:
Sent: 11 June 2018 11:32
To:
Cc:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
Importance: High

Dear

Many thanks for your email dated 29 May 2018. I'd make the following observations in response.

I note the local plan protects the branchline to the west of Watlington Road, but doesn't suggest any part of the branchline east of Watlington Road should be protected for rail use. The proposed disposal of the BMW lease area does not therefore seem to be in conflict with this zoning as we are proposing to retain all our land west of Kidlington Road.

At present all of our land east of Kidlington Road is leased to BMW. The land is held on a very long lease which has another 130 years to run. We do have the ability to break the existing lease early but these rights are very restricted – we can only end the lease early at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028.

As a result of the existing lease, if we wanted to create a new turn back on the east side of Watlington Road we could do only do this currently with the voluntary agreement of BMW – so by completing the proposed sale we are not really prejudicing our position in this regard to the one we hold now.

I also should point out that we have provisionally agreed with BMW that we will actually be excluding from the sale a short section of track on the east side of Watlington Road for other operational reasons – the revised proposed sale area is shown coloured blue on the attached plan no 6087337-2. The sale, if completed, would leave a section of track approx. 65m long in our ownership and control on the east side of Watlington Road.

This section of track will be physically long enough to accommodate a turnback facility for a two-car service, which aligns with train length assumptions made by previous Cowley passenger schemes. We recognise that it would not be long enough to accommodate a turnback facility for a four, six, or eight car service, which would be possibilities.

Whilst no scheme currently exists for the reintroduction of a passenger service, if a longer turnback was needed as part of a future proposal, this could potentially be provided without using any land on the east of Watlington Road by providing a pair of lines west of Watlington Rd (e.g. at the site of the previously proposed business park station) so that a train could turn back in the platform whilst a second line remains free. It is also possible that services could turn back on the single line, without need for a separate turnback facility.

In summary I do not believe the proposed sale is contrary to current town planning zoning, and does not restrict the options for creating a turnback anymore than at present due to the existence of the long lease to BMW – in fact there is an argument that by releasing a short section of line on the east side of Watlington Road back to Network Rail it is perhaps creating more future flexibility than currently exists.

I would hope that in the light of the above additional information you might be able to consider withdrawing your objection to the proposed disposal?

Kind regards,

Senior Surveyor Freight | Network Rail Property

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @oxford.gov.uk

Sent: 29 May 2018 13:33

To:

Cc:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Dear

I am emailing you in response to your consultation below. I am sorry that I am submitting this comment late and hope that the views set out below can still be taken into account.

I am familiar with the site and the current operations associated with the Cowley Branchline. You have correctly identified that the Council supports the re-instatement of the line for passenger traffic and this is reflected in policies in the Local Plan, Core Strategy and will also be included in the emerging Local Plan. The line itself and land adjacent to it have been safeguarded for the purpose of providing the re-instatement to take place and the delivery of new railway stations. Initial indications would suggest that a site close to the Oxford Science Park and Oxford Business Park are likely to be strongly considered as part of any re-instatement.

Whilst I note the current long lease that BMW have over the land in question it is my view that the sale of the land would potentially enable BMW to consider developing parts of the site that may be prejudicial to the future development of the Cowley Branchline for passenger traffic. There may other conflicts if they become freehold owners of land that is then required in association with the branchline. I have included below an extract from the Council's Local Plan policy map which shows the land highlighted in red as the protected land for the re-instatement of the railway for passenger traffic and the circled red areas along its route (3x) for the potential development of railway stations.

A zoomed extract (below) shows the area in the vicinity of the Watlington Road under bridge. The red circle is the potential site for a railway station to serve the Business Park. I would have specific concerns that any sale of land may present further issues for the operation of a re-instatement of passenger traffic on the land. If the land was sold but a railway station for the Business Park was developed then there would not likely be sufficient track beyond the station to allow trains to double back and it would limit any opportunity to stable trains beyond the railway station.

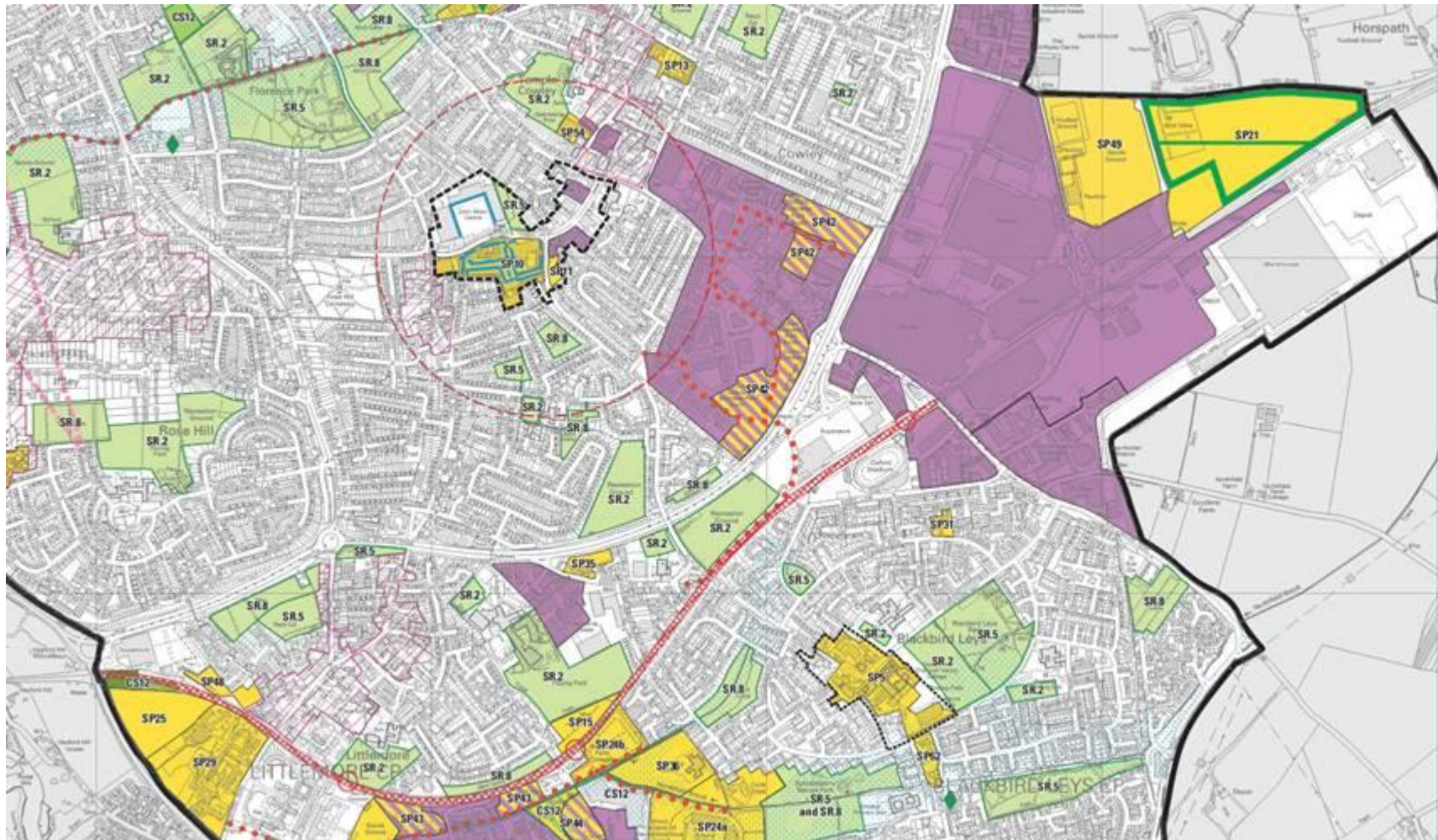
I would therefore raise objections that in the absence of the information to show otherwise that the sale of the land may be prejudicial to the re-instatement of the Cowley branchline.

Regards

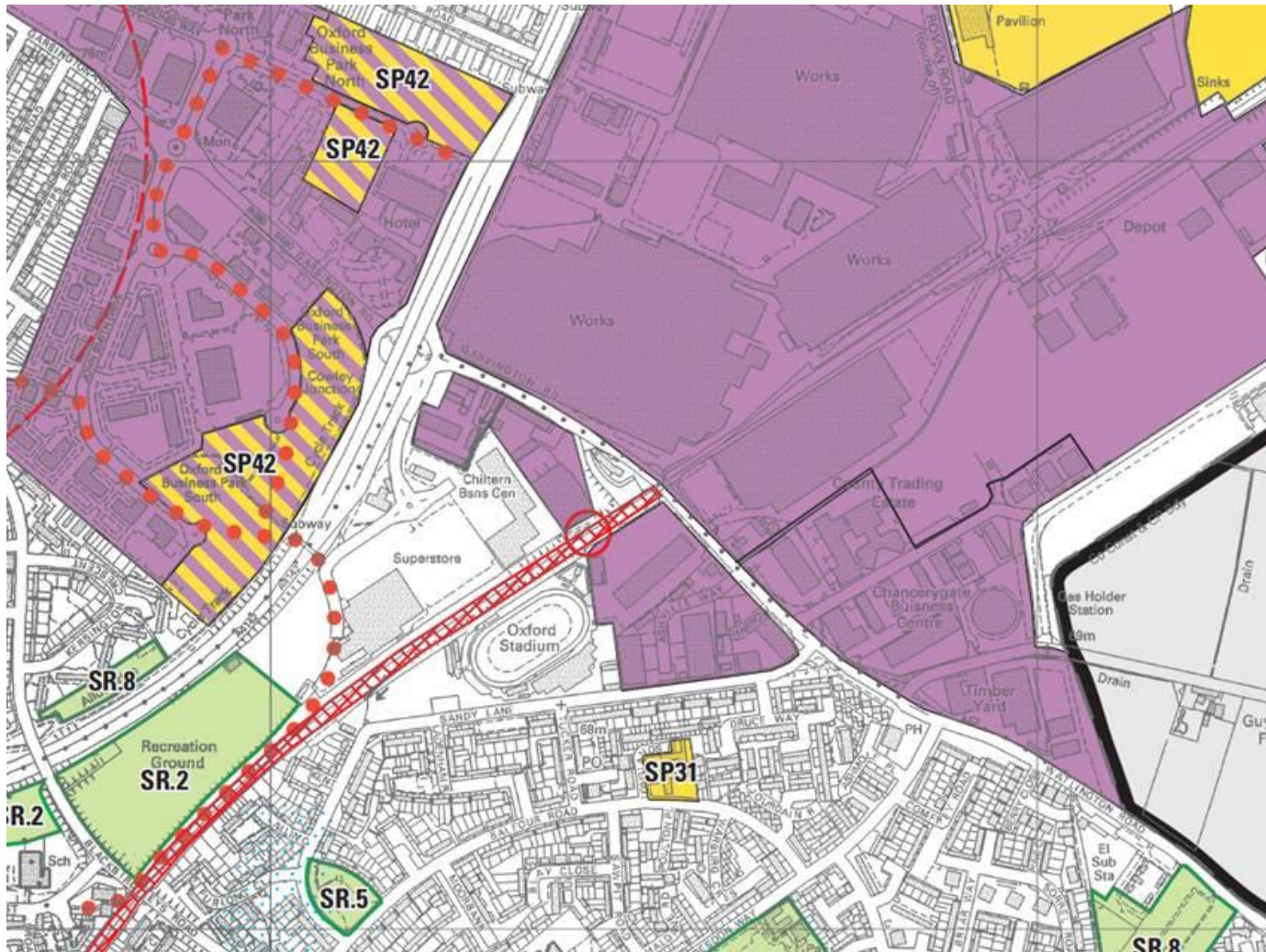
Development Management Team Leader (West) | Development Management | Planning, Sustainable Development and Regulatory Services | Oxford City Council, St. Aldates Chambers, 109-113 St Aldates, Oxford, OX1 1DS | DD: | @oxford.gov.uk |

Website: www.oxford.gov.uk | Follow us on Twitter: www.twitter.com/OxfordCity | Like us on Facebook: www.facebook.com/OxfordCityCouncil

Extract from proposals map



Zoomed extract from proposals map



25 East West Railway Company

From: @eastwestrailwaycompany.co.uk

Sent: 04 June 2018 10:26

To:

Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

Dear

Thank you for your detailed response. While this feels like a lost opportunity to ensure the railway alignment is not blocked by development in future, we understand the desire for Network Rail to achieve a clean sale. We note that:

- This disposal only affects EWRCo indirectly
- No party internal to Network Rail has objected to the disposal
- The option of pursuing the protection of the alignment through the local planning system remains open

Therefore, it does not appear appropriate for EWRCo to sustain an objection to this disposal. Please consider our objection withdrawn.

Regards,

Engineering Director
East West Railway Company

From:

Sent: 24 May 2018 08:54

To:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hello

Thank you for your response to our consultation which we have carefully considered.

Under the current lease granted to BMW (which could run for another 130 years) Network Rail does not have any capability to compel BMW to co-operate with any proposals to reintroduce passenger traffic through their site. If we do proceed with a sale we are not therefore really losing an ability to enforce co-operation – any such proposals to introduce passenger traffic would need to be negotiated with BMW whether they have a leasehold or freehold interest.

We do have the ability to break the existing lease early but these rights are limited – we can only end the lease at 10 yearly intervals if rail use of the site reduces to less than 12 trains a year during the preceding 12 months. The next break date will be in 2028. We cannot include an arrangement of this nature in a freehold disposal due to the need to achieve a clean sale to comply with financial requirements.

Network Rail is working with Oxford City Council and others to develop the Oxfordshire Corridor Study and this may explore proposals to reopen the section of the Cowley Branch to the west of the proposed disposal area, with linked proposals to open two new passenger stations on this section of line. We have secured internal approval to proceed with a sale of the lease to BMW on the basis that

- No branch line passenger schemes had envisaged using either the BMW site or the land east of the site
- The passenger schemes previously proposed appeared to be feasible without using the BMW site of the land east of the site
- The nature of the site (substantially integrated into the end user's operations) meant that reconfiguration for passenger use was deemed to be highly unlikely
- We had received no objection from local planning authorities, and discussions with stakeholders suggested that the proposed development sites are to the south, not the east, of the current branch line

Regardless as to who actually owns the BMW lease area, there is of course scope for the local planning authority to decide what future land use might be permissible on the line of the former railway if the existing rail freight operations ever ceased.

We therefore remain of the view that the proposed sale will not adversely affect any reasonably foreseeable proposals to reopen the branch line for passenger services.

Would you be willing to consider amending your previous response in the light of the above comments?

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @eastwestrailwaycompany.co.uk

Sent: 14 May 2018 10:51

To:

Subject: Re: LC7 Consultation- Proposed sale of land at Oxford

The proposed disposal lies outside of the area with which the East West Railway Company are directly concerned. However, we note the potential of the disposal to impact on the proposals of others to provide passenger services on the Cowley Branch. The disposal site includes the alignment of the former Princes Risborough - Oxford line through the BMW site. This alignment extends beyond the disposal site to the

east, towards Horspath. Our understanding is that there are proposals for residential development immediately beyond the BMW plant which could benefit from the extension of passenger services to a new station within or adjacent to the development. Such an extension could potentially improve the viability of proposals to reintroduce passenger services on the Cowley line.

The introduction of passenger services on the Cowley branch has the potential to ease the current shortage of platform capacity at Oxford station by allowing services that currently terminate and lay-over at Oxford to be extended on to the branch. The freeing up of platform capacity at Oxford would be a direct benefit to East West Rail services and could potentially avoid the need for additional expenditure to increase platform capacity at the station.

While we appreciate there are a number of operational and other issues that would need to be overcome before such a passenger service could be brought to fruition, it would be short-sighted to dispose of this site without ensuring adequate protections are in place to facilitate the future use of the railway alignment through the site for the extension of passenger services.

While we do not wish to stand in the way of the proposed disposal, we would like to see suitable restrictions on the use of that part of the site comprising the railway alignment. Such restrictions should prevent the use of that part of the site for any form of non-railway use and compel the owner of the site to co-operate with any future proposals to extend passenger services through the site.

Regards,

Engineering Director

East West Railway Company

26 East West Rail

From:

Sent: 24 May 2018 08:35

To:

Cc:

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

That's great, thanks

Sponsor | LNW Route (South) | Network Rail
1st Floor | Baskerville House | Centenary Square | Birmingham | B1 2ND
Mobile:
Email: @networkrail.co.uk
<http://www.eastwestrail.org.uk/>

From:
Sent: 24 May 2018 08:34
To:
Cc:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Thanks for your response Peter.

The proposal has been through our internal NR clearance process and has been cleared for sale. I have had some direct conversations with who is comfortable that the proposal will not impact on any proposals to reopen traffic on the Cowley Branch. Given this, I wouldn't propose to speak to unless you or feel he would have a different concern other than the reopening of the branch to passenger traffic.

Kind regards,

Senior Surveyor Freight | Network Rail Property

From:
Sent: 24 May 2018 08:03
To:
Cc:
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Hi

Have you consulted with the Western Route Sponsor for the Thames Valley Area and System Operator? The infrastructure concerned is on Western Route and there is an ongoing study looking at the feasibility of running passenger trains along the Cowley Branch.
Other than the above I have no further comments to add.

Sponsor | LNW Route (South) | Network Rail
1st Floor | Baskerville House | Centenary Square | Birmingham | B1 2ND
Mobile:
Email: @networkrail.co.uk
<http://www.eastwestrail.org.uk/>

From:
Sent: 23 May 2018 16:53
To:
Subject: FW: LC7 Consultation- Proposed sale of land at Oxford
Importance: High

Hello

I am just chasing up the last responses in respect of the below consultation and think you have not yet responded?

If you are able to reply that would be very helpful – I have copied in in case he can respond in your absence as I note you are out of the office for the next few days.

Kind regards,
Senior Surveyor Freight | Network Rail Property

Annex 2 - Network Rail's Consultation Request (and reminder e-mail)

From:
Sent: 23 April 2018 11:23
To: @dft.gsi.gov.uk'; @crosscountrytrains.co.uk'; @c2crail.net'; @chilternrailways.co.uk'; @eurostar.com'; @gwr.com'; @grandcentralrail.com;
@southeasternrailway.co.uk'; @merseyrail.org'; @northernrailway.co.uk'; @colasrail.co.uk'; @drsl.co.uk'; @deutschebahn.com'; @fta.co.uk'; @freightliner.co.uk;
@rfg.org.uk'; @aol.com'; @whm.co.uk'; @acorp.uk.com'; @btp.pnn.police.uk'; @Transportfocus.org.uk'; @oxfordshire.gov.uk'; @oxford.gov.uk';
@eastwestrailwaycompany.co.uk';
Subject: LC7 Consultation- Proposed sale of land at Oxford

Please find enclosed a consultation form in respect of a proposed land disposal at Oxford.

I would be grateful if you could either confirm you have no comments on the proposal or make any comments you have on the proposal no later than **Monday 21st May 2018**.

Kind regards,

Senior Surveyor Freight, Property
Network Rail
1st Floor
Baskerville House
Centenary Square
Birmingham B1 2ND
E @networkrail.co.uk
www.networkrail.co.uk/property

From:

Sent: 14 May 2018 10:12

To: @crosscountrytrains.co.uk'; @chilternrailways.co.uk'; @gwr.com'; @grandcentralrail.com; @deutschebahn.com'; @fta.co.uk'; @aol.com'; @oxfordshire.gov.uk'; @oxford.gov.uk'; @eastwestrailwaycompany.co.uk';

Subject: RE: LC7 Consultation- Proposed sale of land at Oxford

Good morning everyone,

Just a reminder that we are hoping to complete the consultation on the above by **Monday 21st May 2018** so if you are able to let me have a response to my below email this week that would be really helpful.

Kind regards,

Senior Surveyor Freight | Network Rail Property