14 September 2018

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

Network licence condition 7 (land disposal): Northolt Park, South Ruislip, Middlesex

Decision

1. On 20 August 2018, Network Rail gave notice of its intention to dispose of land at Northolt Park, off Victoria Road, South Ruislip, Middlesex (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 that no objections were left unresolved.

4. In considering the proposed disposal, we note that:
   - there is no evidence that current or future railway operations would be affected adversely;
   - the land’s long-established use as a rail-served waste transfer and recycling centre is expected to continue for the foreseeable future: its freehold is to be sold to the lessee, who currently has a leasehold tenure until 2098, and the land’s continued use for waste transfer features in the West London Waste Plan 2015;
   - Network Rail has stated that the terms of the disposal will include a covenant restricting the land from being used for residential development; and
   - Network Rail will reserve the rights it needs to manage its railway assets.

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 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.

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

| Site location and description | Land and Sidings used as a waste transfer and recycling centre by the West London Waste Authority at Victoria Road, South Ruislip, Middlesex HA4 0YS. |
| 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 and coloured blue verged yellow on plan no 6325831-B |
| Project No. | N/A |
| Ordnance survey coordinates | E: 511800 N: 185166 |
| Details of attached photographs (as required) | N/A |

## 2. Proposal

| Type of disposal | It is proposed to sell the freehold of the land coloured blue on plan no 6325831-B and to assign the lease held by Network Rail of the roadway and watercourse shown coloured blue verged yellow on plan no 6325831-B. The lease of the roadway expires in 2098. Network Rail will reserve out of the sale the right to continue to have use and maintain underbridge No 1B as shown coloured blue hatched purple on plan no 6325831-B. |
| Proposed party taking disposal | West London Waste Authority |
## Proposed use / scheme

The property is currently leased for a term of years expiring in 2098 by Network Rail to the West London Waste Authority, who use the property as a rail head for the transfer and distribution of containerised waste materials, the waste materials currently being sent to the Severnside Energy Recovery Centre in Bristol. The proposal will see Network Rail selling its freehold interest and assigning its leasehold interest in the property to the West London Waste Authority.

## Access arrangements to / from the disposal land

The proposed disposal includes the private roadway known as “Civic Way” that leads from Victoria Road to the main site. Rail underbridge no 1B (shown coloured blue hatched purple on plan no 6325831-B) which passes over the private road is excluded from the disposal. In addition access rights to the underbridge and adjoining operational land will be reserved out of the terms of sale.

## Replacement rail facilities (if appropriate)

N/A - it is anticipated that after completion of the disposal West London Waste will continue for the foreseeable future to operate the site as a rail served waste transfer facility.

## Anticipated rail benefits

Under the Hendy Review Network Rail has committed to the raising of £1.8 billion 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

<table>
<thead>
<tr>
<th><strong>History of railway related use</strong></th>
<th>The current use of the site as a rail connected waste transfer station commenced around 1980 and has continued since then.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>When last used for railway related purposes</strong></td>
<td>The site is currently in use as a rail connected waste transfer station.</td>
</tr>
<tr>
<td><strong>Any railway proposals affecting the site since that last relative use</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Impact on current railway related proposals</strong></td>
<td>The site falls within the proposed alignment of the new High Speed Two line between London and Birmingham. HS2 are proposing at this location that the new high speed line will run in a tunnel beneath the property. The disposal will not impact on HS2’s proposals as HS2 have compulsory purchase powers to acquire the land interest they need to construct their tunnel.</td>
</tr>
<tr>
<td><strong>Potential for future railway related use</strong></td>
<td>Northolt Waste Transfer Terminal is noted as a freight site accessed by lines and sidings designated as “other freight routes” in the LNW Route Specification.</td>
</tr>
<tr>
<td><strong>Any closure or station change or network change related issues</strong></td>
<td>None. The existing connection agreement arrangements will continue post sale. The Freight Operating Companies have previously agreed that the property can be removed from the Strategic Freight Site list.</td>
</tr>
<tr>
<td>Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future</td>
<td>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.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Position as regards safety / operational issues on severance of land from railway</td>
<td>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. 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.</td>
</tr>
<tr>
<td>Planning permissions / Local Plan allocation (if applicable)</td>
<td>The draft London Borough of Hillingdon Local Plan Part 2 has proposed that the site be designated as an existing railhead with capacity for aggregate distribution to safeguard it from inappropriate development. In addition the terms of sale will include a covenant restricting the site from being used for residential development. The West London Waste Plan July 2015 identifies the site as a safeguarded site for waste transfer related use.</td>
</tr>
<tr>
<td>Contamination / Environmental Issues (if applicable)</td>
<td>None relevant to this application.</td>
</tr>
</tbody>
</table>
### 6. Local Authorities

<table>
<thead>
<tr>
<th>Names &amp; Email Addresses:</th>
<th>Hillingdon Borough Council <a href="mailto:planning@hillingdon.gov.uk">planning@hillingdon.gov.uk</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Transport Authorities:</td>
<td>Transport for London</td>
</tr>
<tr>
<td>Other Relevant Local Authorities:</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 7. Internal approval to consult

<table>
<thead>
<tr>
<th>Recommendation:</th>
<th>Based on the above, I recommend that Network Rail consults on the terms of disposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declaration:</td>
<td>I have read and understood Network Rail’s code of Business Ethics and Policy on Interests in Transactions</td>
</tr>
<tr>
<td>Proposer’s name:</td>
<td>Proposer’s job title: Senior Surveyor</td>
</tr>
<tr>
<td>Signed:</td>
<td>Date…23 April 2018…</td>
</tr>
<tr>
<td>Authorised by (name):</td>
<td>Authoriser’s job title: Property Services Manager</td>
</tr>
</tbody>
</table>

### 8. Consultations

<p>| 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. |</p>
<table>
<thead>
<tr>
<th>Summary of position as regards external consultations</th>
</tr>
</thead>
<tbody>
<tr>
<td>26 stakeholders were consulted, with 22 confirming they had no comments or objections. 3 stakeholders (WH Malcolm, DB Cargo and HS2) lodged initial objections which, following discussion, were subsequently withdrawn. 1 party (Hillingdon London Borough Council) did not respond but it is not considered this raises any issues or concerns. It should be noted that the Freight Operating Companies have already been separately 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
</tr>
</tbody>
</table>

### 9. Internal approval to dispose

**Recommendation:** Based on the above, I recommend that Network Rail proceeds with the disposal of the freehold of the land coloured blue on plan no 6325831-B and the assignment of the lease of the roadway and watercourse shown coloured blue verged yellow on plan no 6325831-B.

**Declaration:** I have read and understood Network Rail’s code of Business Ethics and Policy on Interests in Transactions

<table>
<thead>
<tr>
<th>Proposer’s name:</th>
<th>Proposer’s job title:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Senior Surveyor</td>
</tr>
</tbody>
</table>

Signed: ____________________________  Date: 20 August 2018

<table>
<thead>
<tr>
<th>Authorised by</th>
<th>Authoriser’s job title: Property Services Manager</th>
</tr>
</thead>
</table>

Signed: ____________________________  Date: 20 August 2018
Legend

- Network Rail retained freehold
- Proposed sale area
- Network Rail leasehold subject to a proposed assignment to the purchaser
- Underbridge no 1B to be retained in ownership of Network Rail

Network Rail leasehold subject to a proposed assignment to the purchaser

Underbridge no 1B to be retained in ownership of Network Rail

Bespoke Mapping Land & Building Surveys • GIS Analysis & Data Management • CAD • Projects • Email: Landinformation@Networkrail.co.uk

Request a Service @ http://connect/deliver/commercial/property/Land-information.aspx
CONSULTATION REPORT

relating to

PROPOSED LAND DISPOSAL

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

Northolt Park–Land and Sidings off Victoria Road  London as shown coloured blue and coloured blue verged yellow on plan no 6325831-B.

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. (Consultations were addressed to two parties in TfL but one of those parties replied on behalf of both consultees). 3 stakeholders (WH Malcolm, DB Cargo and HS2) lodged initial objections which, following discussion, were subsequently withdrawn. 1 party (Hillingdon London Borough Council) did not respond despite reminders being sent.

WH Malcolm initially objected to the proposal on 24 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 on 7 May 2018.

DB Cargo sought an assurance that the disposal would not prevent any restoration of full double track past the site between South Ruislip Junction and Greenford. Whilst noting there is currently no committed or funded scheme to double track past the site between South Ruislip Junction and Greenford Network Rail was able to produce a high level concept drawing which suggested twin tracking could potentially be accommodated without needing to use part of the proposed sale area. In the light of this DB Cargo withdrew their objection on 15 June 2018.

HS2 requested that Network Rail includes a restrictive covenant within the transfer such that that no change of use could take place or anything else be done on site that might prejudice or obstruct the HS2 tunnel boring or protection thereof without first obtaining the approval of HS2. After providing further details to HS2 of the site and the activities thereon to HS2, and querying whether any such restrictive covenant was appropriate given current arrangements or even enforceable, HS2, after giving the matter further consideration, withdrew their previous comments on 10 August 2018.

Please see the consultation report below for full details of these email exchanges.
The full list of external consultees is set out below:

<table>
<thead>
<tr>
<th>No.</th>
<th>External party (name)</th>
<th>Contact name, email address and telephone</th>
<th>Whether response received (y/n)</th>
<th>Date of response</th>
<th>Details of response (e.g. “no comment”), with reference to any accompanying copy representation in annexes to this report</th>
<th>Comments (e.g. as regards endeavours to obtain response where none given)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>c2c Rail</td>
<td></td>
<td>Y</td>
<td>30/4/2018</td>
<td>No objection</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Chiltern Railway Company</td>
<td></td>
<td>Y</td>
<td>4/6/2018</td>
<td>No comments</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Eurostar UK</td>
<td></td>
<td>Y</td>
<td>1/05/2018</td>
<td>No comment</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Great Western Railway</td>
<td></td>
<td>Y</td>
<td>23/5/2018</td>
<td>No objection</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Grand Central / Grand Union</td>
<td></td>
<td>Y</td>
<td>29/5/2018</td>
<td>No comments</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>London and South Eastern Railway</td>
<td></td>
<td>Y</td>
<td>23/4/2018</td>
<td>No comment</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Merseyrail Electrics 2002</td>
<td></td>
<td>Y</td>
<td>23/4/2018</td>
<td>No objections</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Company</td>
<td>Response</td>
<td>Date</td>
<td>Notes</td>
<td></td>
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<tr>
<td>8</td>
<td>Northern Rail</td>
<td>Y</td>
<td>24/4/2018</td>
<td>No objections</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>XC Trains Limited (t/a CrossCountry)</td>
<td>Y</td>
<td>14/5/2018</td>
<td>No comment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>COLAS Freight</td>
<td>Y</td>
<td>24/4/2018</td>
<td>No comment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Direct Rail Services Limited</td>
<td>Y</td>
<td>11/5/2018</td>
<td>No comments.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>DB Cargo UK</td>
<td>Y</td>
<td>15/6/2018</td>
<td>Initial response from DB Cargo:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>I can confirm that DB Cargo (UK) Limited has no objection in principle to the proposed land disposal as described.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Could you please confirm that this in no way prevents restoration of full double track past the site between South Ruislip Junction and Greenford as and when this becomes necessary?</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>NR response :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>In respect of your double tracking query.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>I am advised that</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1. There is currently no committed or funded scheme to double track past the site between South Ruislip Junction and Greenford.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2. A high level concept drawing was produced in 2015 as part of the West Midlands &amp; Chilterns Route Study process (copy attached) which suggests twin tracking could potentially be accommodated without needing to use part of the proposed sale area, although the full extent of railway</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
infrastructure footprint was not established then. You will appreciate of course that a detailed scheme would need to be developed to fully establish the feasibility of the twin tracking and therefore this drawing is issued for information only and "without prejudice".

3. It is worth bearing in mind that even if the land sale did not proceed the site would continue to be held on a long lease by West London Waste and would not therefore be available for other purposes whilst the lease was running without the agreement of West London Waste being secured.

I hope this answers your query - could you please confirm?

DB Cargo reply:

I have examined the attached plan and am satisfied that the proposed sale boundaries would not interfere with a possible future redoubling.

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Freight Transport Association</td>
<td>Y</td>
<td>23/5/2018</td>
</tr>
<tr>
<td>14</td>
<td>Freightliner Limited</td>
<td>Y</td>
<td>23/4/2018</td>
</tr>
<tr>
<td>15</td>
<td>GB Railfreight Limited</td>
<td>Y</td>
<td>25/5/2018</td>
</tr>
<tr>
<td>16</td>
<td>Rail Freight Group</td>
<td>Y</td>
<td>24/4/2018</td>
</tr>
<tr>
<td>17</td>
<td>West Coast</td>
<td>Y</td>
<td>14/05/2018</td>
</tr>
<tr>
<td>Railway Company</td>
<td>Y/N</td>
<td>Date</td>
<td>Comment</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-----</td>
<td>------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Association of Community Rail Partnerships</td>
<td>Y</td>
<td>24/4/2018</td>
<td>No comment</td>
</tr>
<tr>
<td>British Transport Police</td>
<td>Y</td>
<td>1/05/2018</td>
<td>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 6030831 B-1 and documentation attached, and have no major concerns with this</td>
</tr>
<tr>
<td>DfT</td>
<td>Y</td>
<td>14/5/2018</td>
<td>No comment</td>
</tr>
<tr>
<td>London TravelWatch</td>
<td>Y</td>
<td>3/5/2018</td>
<td>No objections</td>
</tr>
<tr>
<td>WH Malcolm</td>
<td>Y</td>
<td>7/5/2018</td>
<td>Original 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.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Response</td>
<td>Date</td>
</tr>
<tr>
<td>---</td>
<td>---------------</td>
<td>----------</td>
<td>------------</td>
</tr>
<tr>
<td>23</td>
<td>TfL</td>
<td>Y</td>
<td>4/6/2018</td>
</tr>
<tr>
<td>24</td>
<td>TfL</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Hillingdon BC</td>
<td>N</td>
<td></td>
</tr>
</tbody>
</table>
| 26 | HS2 | Y | 10/8/2018 | HS2 Initial main response:  
Generic conveyance obligations should be contractually inserted within the transfer of freehold title against the landowner, or tenant in the case of the lease (and any occupier, future under-tenant or successors in title), to not knowingly or unknowingly contaminate the land, overload the surface of the land or do anything that prejudices or obstructs the HS2 tunnel boring or protection thereof (including but not limited to deep apparatus, shafts, extraction of mines or minerals, deep foundations) without the prior approval of HS2 Ltd, which will not be unreasonably withheld or delayed but which may be granted subject to appropriate conditions HS2 considers and for the avoidance of doubt, HS2 engineers conditions are final.  

Additional response from HS2 on 25 May:  
Please consider including a restrictive covenant within the transfer and lease (if relevant), that no change of use (from the pre-existing use) or do anything that might prejudice or obstruct the HS2 tunnel boring or protection thereof without first;  
- Consulting with HS2 before designing or carrying out the works,  
- Taking all HS2 representations reasonably into account  
- The prior written approval of |
the HS2 qualified engineer

HS2 consent may not be unreasonably withheld but may be given subject to reasonable conditions for the protection, operation and maintenance of HS2 tunnels, and for the avoidance of doubt HS2's engineers conditions are final.

NR Response:

• To meet financial requirements the sale needs to be a "clean" sale, with our only being able to include standard terms designed to protect our operational railway.

• West London Waste Authority do not operate any kind of land infill on site or carry out excavations on site. Their operation involves the compacting of domestic waste in a purpose built facility, placing the waste in containers and sending the waste out by rail (currently one train per day). I will send you a photo of the weighbridge and main building to give you a sense of the type of operation on site at present.

• West London Waste Authority has in place a contract for 25 years to take waste by rail to Severnside Energy Recovery Centre. See https://www.letsrecycle.com/news/latest-news/sita-uk-signs-25-year-west-london-contract/

• I doubt that any development that would fall under permitted development would impact on your proposed tunnels?
• Any more major development with foundations etc that might impact on your tunnels would likely require planning permission and your safeguarding arrangement with local planning authorities would then presumably give you the opportunity to comment on any proposals and protect your interests.

• I am not certain how rights reserved for the benefit of HS2 would be enforceable if HS2 was not a party to the transfer.

• There is nothing in the existing lease that requires the approval of HS2 to be given for any works so a disposal on a similar basis would not seem to place HS2 in any worse position than they are now.

I believe a disposal without the clause you have requested would not materially affect HS2's interests and I would therefore ask you to consider withdrawing your request and confirming that you have no comments on the proposal.

HS2 Response dated 10 August 2018:

Following a period of liaison with HS2 Engineers, HS2 is willing to withdraw the initial proposed co-operation covenant based on Act powers and current information.
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 1.
Annex 2 – Consultee Responses

1  c2c Rail

From: @c2crail.net  
Sent: 30 April 2018 08:52  
To:  
Subject: Re: LC7 Consultation- Proposed sale of land at Northolt Park

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

Hi

No comments from Chiltern.

Sorry for the delay!
From: @networkrail.co.uk
Sent: 04 June 2018 09:28
To: @chilternrailways.co.uk
Subject: LC7 Consultations for West Ealing, Brentford and Northolt Park

Hello

Further to our conversation last week are you able to confirm whether you have any comments on the above three LC7 consultations? I think you hoped you would have had any comments from your colleagues by Friday of last week?

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
3 Eurostar UK

From: @eurostar.com
Sent: 01 May 2018 12:01
To: 
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

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 12:54
To: 
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

Hello

Many thanks for calling.

GWR has no objection to this.

(I will look at the other outstanding sites.)

Yours,
5  Grand Central / Grand Union

6  London and South Eastern Railway

From: @southeasternrailway.co.uk
Sent: 23 April 2018 11:58
To: 
Subject: RE: LC7 Consultation - Proposed sale of land at Northolt Park

Good Morning

Thank you for the opportunity to review the below.

Southeastern has 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 11:26  
To:  
Subject: RE: LC7 Consultation - Proposed sale of land at Northolt Park

We have no objections, thanks

Legal & Contract Assistant  
Merseyrail

Email @merseyrail.org  
Web www.merseyrail.org

8  Northern Rail

From: @northernrailway.co.uk  
Sent: 24 April 2018 09:02  
To:  
Subject: RE: LC7 Consultation - Proposed sale of land at Northolt Park

Northern have no objections to the below proposal.

Thanks,
XC Trains Limited (t/a CrossCountry)

From: @networkrail.co.uk  
Sent: 14 May 2018 10:47  
To: @crosscountrytrains.co.uk  
Subject: RE: LC7 Consultation - Proposed sale of land at Oxford

Thanks

The Oxford Consultation form is attached.

Your “no comment” below on the other three sites should suffice.

Kind regards,

Senior Surveyor Freight | Network Rail Property

From: @crosscountrytrains.co.uk  
Sent: 14 May 2018 10:41  
To:  
Subject: RE: LC7 Consultation - Proposed sale of land at Oxford

Hi

I don’t seem to have received any of the original emails you refer to. If you can resend this one for Oxford I’ll take a quick look & respond.

As for the other three reminders, on the basis that the locations are not on our route I’d be confident enough to say ‘no comment’ without seeing the supporting documentation. I’ll send separate replies for these if you need them.

Thanks
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

From: @networkrail.co.uk
Sent: 14 May 2018 10:12
To: @crosscountrytrains.co.uk; @chilternrailways.co.uk; @gwr.com; @grandcentralrail.com; @deutschebahn.com; @fta.co.uk; @gbrailfreight.com; @aol.com; @oxfordshire.gov.uk; @oxford.gov.uk; @eastwestrailwaycompany.co.uk; @networkrail.co.uk
Subject: RE: LC7 Consultation- Proposed sale of land at Oxford
Land disposal consultation report

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

10. COLAS Freight

No comment on proposed disposal

Property & Estate Manager

@colasrail.co.uk

COLAS RAIL LTD
West Goods Yard, Dundonald Road, Wimbledon, London, SW19 3QJ, United Kingdom
11 Direct Rail Services Limited

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: 15 June 2018 16:43
To: 
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

I have examined the attached plan and am satisfied that the proposed sale boundaries would not interfere with a possible future redoubling. Although this is not a
In respect of your double tracking query. I am advised that

1. There is currently no committed or funded scheme to double track past the site between South Ruislip Junction and Greenford.
2. A high level concept drawing was produced in 2015 as part of the West Midlands & Chilterns Route Study process (copy attached) which suggests twin tracking could potentially be accommodated without needing to use part of the proposed sale area, although the full extent of railway infrastructure footprint was not established then. You will appreciate of course that a detailed scheme would need to be developed to fully establish the feasibility of the twin tracking and therefore this drawing is issued for information only and “without prejudice”.
3. It is worth bearing in mind that even if the land sale did not proceed the site would continue to be held on a long lease by West London Waste and would not therefore be available for other purposes whilst the lease was running without the agreement of West London Waste being secured.

I hope this answers your query - could you please confirm?

Kind regards,

Senior Surveyor
Property Service Freight
Network Rail Property
I has to do with the inadequacy of the post-Crossrail arrangements at West Ealing, where the junction has been singled to, permit platform extensions. This has so badly constrained freight paths to and from Greenford that future paths to and from the Princes Risborough direction will be almost unobtainable if the Northolt - Greenford section is not restored to double track. This is being discussed as a long-term issue rather than immediate, but I'm just checking to make sure we haven't put as spanner in the works.

Thanks – I’ll check the double tracking point – to help me with this is there a particular scheme/proposal the proposed double tracking is linked to?

Kind regards,

Senior Surveyor Freight | Network Rail Property

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

Could you please confirm that this in no way prevents restoration of full double track past the site between South Ruislip Junction and Greenford as and when this becomes necessary.
Yours,

Rail Network Manager
DB Cargo (UK) Limited
310 Goswell Road
London EC1V 7LW

Apologies Peter FTA has no comment.

Hi

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

Regards

From: @Freightliner.co.uk
Sent: 23 April 2018 14:10
To:
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

Hi

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

Regards

From: @gbrailfreight.com
Sent: 25 May 2018 17:55
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.

---

From: @rfg.org.uk
Sent: 24 April 2018 08:01
To: @rfg.org.uk
Subject: RE: SPAM LC7 Consultation- Proposed sale of land at Northolt Park

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 14:22
To:    
Subject:  Re: LC7 Consultation- Proposed sale of land at Northolt Park

no comments

WCR

E @aol.com

18  Association of Community Rail Partnerships

Sent:  24 April 2018 14:29
To:    
Subject:  RE: LC7 Consultation- Proposed sale of land at Northolt Park

Dear
No comment from Acorp.

Thanks

Senior Operations Manager

Web:  acorp.uk.com
From: @btp.pnn.police.uk
Sent: 01 May 2018 11:10
To:
Subject: FW: Northolt Park Land Disposal CRU 2018 0647
Importance: High

Good morning,

Please note the email below for BTPs response
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

Please consider the environment before printing this email

⚠️ Please consider the environment before printing this email
Unless otherwise stated above this e-mail is considered ‘OFFICIAL’
Regarding the land disposal at Northolt Park 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 6030831 B-1 and documentation attached, and have no major concerns with this.

Many Thanks.

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

25 Camden Road
London NW1 9LN
Tel BTP Internal
Mobile
email @btp.pnn.police.uk
www.btp.police.uk

20 DfT

From: @dft.gov.uk
Sent: 14 May 2018 10:57
To:
No comment from us.

Thank you

Briefing and Correspondence Manager, Rail Network Services Directorate, Department for Transport

______________________________

21  London TravelWatch

From: @londontravelwatch.org.uk
Sent: 03 May 2018 13:37
To:  
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

Dear

London TravelWatch has no objection to the aforementioned proposal.

Kind regards

______________________________

22  WH Malcolm

From: @whm.co.uk
Sent: 07 May 2018 13:23
To:  
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park
Thanks

I confirm I have no objections to the proposal.

Regard

---

**From:** @networkrail.co.uk  
**Sent:** 02 May 2018 09:09  
**To:**  
**Subject:** RE: LC7 Consultation - Proposed sale of land at Northolt Park

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 08:06  
To:  
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park

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.

Regards

Contracts, Rail & Estate Management | W H Malcolm Ltd  
Malcolm Group, Brookfield House, 2 Burnbrae Drive, Linwood, Renfrewshire PA3 3BU  
DD: | Mobile:  
Email: @whm.co.uk | Web: www.malcolmgroup.co.uk | Malcolm Group on LinkedIn  

23 TFL  

From: @tfl.gov.uk  
Sent: 04 June 2018 16:08  
To:  
Cc:  
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park  
Importance: High

Hi
We would like to confirm ‘No objections’ to the proposed sale at Northolt Park.

Kind regard

24  TfL

See above

25  Hillingdon BC

No response received

From:   
Sent:  19 June 2018 16:57  
To:  @hillingdon.gov.uk'; @hillingdon.gov.uk'  
Subject: FW: LC7 Consultation- Proposed sale of land at Northolt Park - URGENT  
Importance: High

Dear and,

I understand that the below emails have passed to you for review.

I will shortly be reporting to the ORR on the outcome of the consultation process. If you have any comments on the proposal can you please let me have them by return, or alternatively, if you have no comments, confirmation to that effect would be greatly appreciated.

Kind regards,

Senior Surveyor  
Property Service Freight  
Network Rail Property
Good afternoon

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 as the deadline has now passed.

Kind regards,

Senior Surveyor Freight | Network Rail Property

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
Please find enclosed a consultation form in respect of a proposed land disposal at Northolt Park London.

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

Dear
I have now managed to discharge the governance comments in relation to this matter.

Following a period of liaison with HS2 Engineers, HS2 is willing to withdraw the initial proposed co-operation covenant based on Act powers and current information.

Best

| Property Acquisition Manager | HS2 Ltd |

From: @networkrail.co.uk  
Sent: 07 June 2018 08:44  
To: @hs2.org.uk  
Subject: LC7 Consultation- Proposed sale of land at Northolt Park  
Importance: High

Hello

Thanks you for your time yesterday discussing the above.

To recap the background to this matter

The sale at Northolt is to help fund Network Rail during the current control period. Under the Hendy Review Network Rail has committed to the raising of £1.8bn of cash proceeds, via asset disposals, by 2019. Under Project Falcon a number freight sites, including the subject site, have been identified for disposal for the purpose of raising capital towards the £1.8million target.

The bullet points of our discussion are as follows:

- To meet financial requirements the sale needs to be a “clean” sale, with our only being able to include standard terms designed to protect our operational railway.

- West London Waste Authority do not operate any kind of land infill on site or carry out excavations on site. Their operation involves the compacting of domestic waste in a purpose built facility, placing the waste in containers and sending the waste out by rail (currently one train per day). I will send you a photo of the weighbridge and main building to give you a sense of the type of operation on site at present.

I doubt that any development that would fall under permitted development would impact on your proposed tunnels?

Any more major development with foundations etc that might impact on your tunnels would likely require planning permission and your safeguarding arrangement with local planning authorities would then presumably give you the opportunity to comment on any proposals and protect your interests.

I am not certain how rights reserved for the benefit of HS2 would be enforceable if HS2 was not a party to the transfer.

There is nothing in the existing lease that requires the approval of HS2 to be given for any works so a disposal on a similar basis would not seem to place HS2 in any worse position than they are now.

I believe a disposal without the clause you have requested would not materially affect HS2’s interests and I would therefore ask you to consider withdrawing your request and confirming that you have no comments on the proposal.

Kind regards,

Senior Surveyor Freight, Property
Network Rail
1st Floor Baskerville House Centenary Square Birmingham B1 2ND

E [networkrail.co.uk](http://networkrail.co.uk)

www.networkrail.co.uk/property

From: @hs2.org.uk
Sent: 25 May 2018 16:38
To: 
Cc: 
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park
Hello

Thanks again for your email. I have now checked position with colleagues and please note the following by way of clarification.

Whilst the HS2 Act does enable compulsory powers, the proposed change of tenure is likely to relax the obligations upon the current tenant. Accordingly, there is a concern that the change, from leasehold to freehold, will potentially increase engineering, buildability and programme risk for HS2.

The concern is primarily in relation to intensifying ground seeping contamination or pollution, or the ease for which change of land use can be effected, for example erecting structures, installing deep foundations or in some way disrupting the subsoil for which the tunnels will be located. It might be the case in future that a change in land use or proposed future works upon the land benefit from deemed planning permission, and therefore the safeguarding protection HS2 benefits from will not provide adequate representation. In such a case, as a result of this LC7 consultation and nature of the proposed transaction, we would urge Network Rail to please consider including a restrictive covenant within the transfer and lease (if relevant), that no change of use (from the pre-existing use) or do anything that might prejudice or obstruct the HS2 tunnel boring or protection thereof without first;

- Consulting with HS2 before designing or carrying out the works,
- Taking all HS2 representations reasonably into account
- The prior written approval of the HS2 qualified engineer

HS2 consent may not be unreasonably withheld but may be given subject to reasonable conditions for the protection, operation and maintenance of HS2 tunnels, and for the avoidance of doubt HS2’s engineers conditions are final.

It is noted on the LC7 consultation that the disposal will not impact on HS2’s proposals as HS2 “have compulsory purchase powers to acquire the land interest they need to construct their tunnel”. Whilst HS2 does have powers to acquire the land interests, the safeguarding conditions are designed to protect the engineering viability and practical feasibility of building the railway. This LC7 response is on the basis of practical engineering protection rather than protecting the acquisition of land interests.

HS2 supports NRIL’s objectives, however they must be balanced with HS2’s objectives. We don’t consider this is unreasonable as it is not an absolute restriction, rather an obligation for the new owner (and their successors in title) to consult with HS2 for works which will or are likely to impact upon HS2’s design, construction, operation and maintenance, in order for HS2 to influence the extent of such future works (whatever they may be) if they are considered impacting.

We also don’t consider this request will detrimentally impact upon the proceeds collected by NR due to the co-operative nature of covenant request.

I hope above clarifies the position for you, however if you have any further queries can you please direct them to my colleague Jason Moore (cc’d herein) in the HS2 Property Acquisitions team.
From: @networkrail.co.uk
Sent: 21 May 2018 11:29
To: @hs2.org.uk
Subject: RE: LC7 Consultation- Proposed sale of land at Northolt Park
Importance: High

Hello

Thank you for your email.

Just for clarity could you please confirm that you are not suggesting that Network Rail includes these restrictions and obligations in our proposed transaction but instead these are requirements that HS2 will look to impose when it acquires the rights to construct the HS2 tunnel beneath the site in due course?

Kind regards,

Senior Surveyor Freight | Network Rail Property
Thank you for consulting HS2 Ltd on the above matter, we have the following comments to make on the proposal.

Firstly with reference to p3 of the evaluation form, it is welcome that the presence of HS2 Phase One interests in that location are acknowledged in terms of the sub-surface safeguarding interest for construction and operation of the tunnel beneath the property. The claim that the proposed disposal will not impact upon HS2 CPO powers to acquire the land in question is also welcomed.

It is also acknowledged that since the West London Waste Plan allocates the land for waste transfer related use the terms of any potential sale will include a restrictive covenant preventing the site from being developed for residential purposes. However, HS2 Ltd advises that the proposed disposal also includes the private roadway known as Civic Way and this road is shown within both the Limits of Land to be Acquired or Used (LLAU) for the railway and the Consolidated Land Boundary (CLB).

In light of the above circumstances I have liaised with HS2 Property and Construction teams who have made a number of observations, which are summarised below respectively.

The HS2 Act enables acquisition of requisite subterranean tunnel rights and rights to impose covenants upon the surface of the land above the tunnels and in safeguarded areas. Accordingly, generic conveyance obligations should be contractually inserted within the transfer of freehold title against the landowner, or tenant in the case of the lease (and any occupier, future under-tenant or successors in title), to not knowingly or unknowingly contaminate the land, overload the surface of the land or do anything that prejudices or obstructs the HS2 tunnel boring or protection thereof (including but not limited to deep apparatus, shafts, extraction of mines or minerals, deep foundations) without the prior approval of HS2 Ltd, which will not be unreasonably withheld or delayed but which may be granted subject to appropriate conditions HS2 considers and for the avoidance of doubt, HS2 engineers conditions are final.

The sector Enabling Works Contractor (EWC) Project Manager comments that any prospective purchaser of the land should be aware that the HS2 Act provides rights of access over Civic Way to undertake utilities diversions, which are required due to the construction of the Northolt tunnel, (see screen shot below for extent of those powers).
Further information on the safeguarding process can be found here: 

I hope this response if of assistance and if any further information or clarification is needed please contact me at: @hs2.org.uk.

Yours sincerely,

-------------------------------------------------------------------------------------------------
Safeguarding Planning Manager | HS2 Ltd
Tel: M: | @hs2.org.uk | Facebook | Twitter | LinkedIn
High Speed Two (HS2) Limited, 18th Floor, One Canada Square, Canary Wharf, London, E14 SAB | www.gov.uk/hs2
Annex 1 - Network Rail’s Consultation Request (and reminder e-mail)

From: (Redacted)
Sent: 23 April 2018 11:23
To: (Redacted)
Subject: LC7 Consultation - Proposed sale of land at Northolt Park

Please find enclosed a consultation form in respect of a proposed land disposal at Northolt Park London.

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
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

Please find enclosed a consultation form in respect of a proposed land disposal at Northolt Park London.

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