

Les Waters
Manager, Licensing
Railway Markets and Economics

E-mail
Telephone

2 November 2015

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

Network licence condition 7 (land disposal): Hackney Wick station

Decision

1. On 4 September 2015, Network Rail gave notice of its intention to dispose of land to the south of and adjoining Hackney Wick station (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 all relevant stakeholders with current information. No alternative reasonably foreseeable railway use for the land was identified and no objections were received. We note that:
 - Network Rail's submission of 4 September 2015 showed that two key stakeholders had not been consulted but Network Rail did so subsequently at our behest;
 - the consultations found no evidence that railway operations at Hackney Wick station or the surrounding area would be affected adversely by the proposed disposal; and
 - the proposed disposal would facilitate a redevelopment of Hackney Wick station which would enlarge the station footprint and in turn facilitate the provision of a new ticket entrance hall, ticket gates and railway line underpass for the benefit of passengers.
4. 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.

5. 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”.

6. 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 that reads 'Les Waters'.

Les Waters

Duly authorised by the Office of Rail and Road

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

Annex A: Notice given by Network Rail to ORR on 4 September 2015

**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	Freehold disposal of land to the south of railway adjoining Hackney Wick station. The area is outside the station lease area adjacent to White Post Lane area with an area of 266 sq m.
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	The enclosed plan shows the disposal site shaded blue. In addition, two areas are being transferred from London Legacy Development Corporation (LLDC) to Network Rail which are shaded orange on the enclosed plan.
Clearance Ref:	CR/23664
Project No.	
Ordnance survey coordinates	TQ370845 E537034 N184558
Photographs (as required)	
2. Proposal	
Type of disposal (i.e. lease / freehold sale)	Freehold disposal
Proposed party taking disposal	London Legacy Development Corporation (LLDC)
Proposed use / scheme	<p>The disposal of the Network Rail owned land is in return for Network Rail receiving the freehold interest in land from LLDC in order to provide a much improved station at Hackney Wick.</p> <p>The land is essentially a strip of land at the bottom of the existing railway embankment, with no specific use. When the transfer takes place and the wider development is complete the land will form an access to the rear of light industrial units which will be on the adjacent development site. Network Rail will retain a right of access over the land being transferred to LLDC.</p> <p>The disposal of the land from Network Rail to LLDC will enable access to be gained to the rear of light industrial units being developed on the adjoining site. Network Rail will retain a right of access over the disposal land.</p>
Access arrangements to / from the disposal land	Network Rail will retain rights of access across the disposal site. The area being transferred to Network Rail on the southern side of the railway will be used to create a new access to the new station

	building.
Replacement rail facilities (if appropriate)	Not applicable.
Anticipated Rail benefits	This disposal creates a “swap” of land with the LLDC, Network Rail will acquire the freehold to development land of the adjoining site for a new and improved station at Hackney Wick. The station will receive a new ticket entrance hall, gate line and underpass connecting both sides of the railway line, which will enhance and improve the station for passengers and the TOC. The plan attached with this consultation shows the land being transferred to and from Network Rail.
Anticipated Non-rail benefits	The land Network Rail disposes creates a rear access to light industrial units within the wider development site.
3. Timescales	
Comments on timescales	Implementation of the scheme will begin in October 2015/November 2015 and agreement to transfer the freehold of interests between the parties needs to be in place by the end of September 2015.
4. Railway Related Issues	
History of railway related use	There has been no specific railway use of this land, other than as part of the embankment.
When last used for railway related purposes	The disposal land has only been used as part of the embankment. The clearance consultation revealed no risks, concerns or objections to the disposal taking place.
Any railway proposals affecting the site since that last relative use	None, the proposal has gone through the approval process of both business and technical clearance.
Impact on current railway related proposals	None, the proposal has gone through the approval process of both business and technical clearance.
Potential for future railway related use	The Anglia route utilisation strategy has been assessed during the Network Rail internal clearance process and it has been indicated that there are no future railway related uses for this parcel of land. This is a standalone scheme promoted and initiated by the LLDC in connection with local development and the new railway facilities contribute to this.
Any closure or station change or network change related issues	As part of the overall disposal transactions Network Rail will acquire the freehold title to land currently owned by LLDC. This will be incorporated into a revised and increased footprint for Hackney Wick station. The land transferred to Network Rail will be incorporated into the TOC lease. The station portfolio surveyor is fully aware of the scheme and will lead on the station change mechanism.

Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	The disposal is in connection with the redevelopment of the station and improves access to it.
Position as regards safety / operational issues on severance of land from railway	<p>The disposal includes arrangements under which LLDC will install new boundary fencing (retaining wall) 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






Planning permissions / Local Plan allocation (if applicable)	The disposal is in connection with the scheme by the LLDC.
Contamination / Environmental Issues (if applicable)	N/A


6. Consultations

Railway (internal – Network Rail)	Both internal business and technical clearance has been approved.
Summary of position as regards external consultations	<p>External consultations have raised no concerns or objections to the land disposal. Comments have not been received from the following external consultees;</p> <ul style="list-style-type: none"> • Grand Central Railway • Colas Rail • Rail Freight Group <p>Please note comments made in consultation report. Further emails were sent to the non – responders and chase up phone call made in addition.</p>

Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	Not applicable.	
7. Local Authorities		
Names & Email Addresses:	London Legacy Development Corporation @londonlegacy.co.uk London Borough of Hackney - @hackney.gov.uk	
Local Transport Authorities:		
Other Relevant Local Authorities:		
8. Internal Approval		
Surveyor Name:		
Approved by Property Services Manger South East	Name:	Date Approved by PDM: 13/8/15

Reproduced from the Ordnance Survey Map with permission of the controller of Her Majesty's Stationery Office. Crown Copyright. Licence No: 0100040692

	Disposal Site
	Transfer to NR
	Network Rail retained land
	Site of ramp clearance
	Station demise

HACKNEY WICK TRANSFER TO LLDC	
Plot Scale	1:1250
Plot Date	11/8/2015
	



Centre of Map Window (E.N): 537084, 184571

Output Created from the GI Portal - A4 Landscape

PROPOSED PROPERTY DISPOSAL CONSULTATION REPORT

relating to

APPLICATION BY NETWORK RAIL INFRASTRUCTURE LIMITED FOR REGULATORY CONSENT UNDER THE LAND DISPOSAL CONDITION OF ITS NETWORK LICENCE This report is provided as a supplement to our forms for the proposed disposal of land at:

Site location and description: Land close to Hackney Wick Station, London

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

Summary of position regarding responses: 24 external stakeholders were consulted, there were 3 'No responses' to the original email or further attempts by email or telephone, from Grand Central Railways, COLAS and Rail Freight Group.

The 21 responses received expressed no concerns or objections to this disposal.

The full list of external consultees is set out below:

No.	External party (name)	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	London Travel Watch	Y	08/07/2015	London TravelWatch has no objection to the aforementioned proposal.	
2	Transport for London	Y	07/07/2015	TfL has no comment on this property disposal.	
3	South Eastern Railway	Y	03/07/2015	Thank you for the opportunity to review the below.	
		Y	15/06/2015	I can confirm that Southeastern has no comment on this proposal.	
4	GB Railfreight	Y	01/07/2015	No comment.	
		Y	13/06/2015	No issues from GB Railfreight.	
5	DfT Rail Executive	Y	26/06/2015	The Department has no comment on this proposal.	
6	ACORP	Y	12/06/2015	ACoRP have no objection to this disposal	
7	Transport Focus	Y	16/06/2015	Transport Focus has no objection to the proposed disposal.	

8	Eurostar	Y	16/06/2015	No issue for EIL,	
9	Direct Rail Services	Y	15/06/2015	DRS have no comments in relation to this consultation.	
10	Northern Rail	Y	15/06/2015	Northern has no objection to the land disposal at Hackney Wick Station in London	
11	Mersey Rail	Y	12/06/2015	Merseyrail have no comments or objections to the above proposal.	
12	WH Malcolm	Y	12/06/2015	WH Malcolm has no objections to the proposal.	
13	First Great Western	Y	11/06/2015	We have no objection thank you.	
14	Freightliner	Y	11/06/2015	No comments from Freightliner	
15	Chiltern Railways	Y	11/06/2015	There are no comments from Chiltern Railways.	
16	Cross Country Trains	Y	11/06/2015	I can confirm that XC Trains Ltd has no objection to this disposal.	
17	National Express	Y	11/06/2015	On behalf of NXET Trains Ltd and National Express Group, I confirm that we have no objection to the proposed disposal	
18	Grand Central Railway	N			Original email sent detailing proposal 11/06/2015. Follow – up emails sent 22/07/2015 and 04/08/2015. Out of the office until 13 th August 2015 reply then received. As this TOC does not run services on this route no further contact to be made.
19	Colas Rail	N			Original email sent detailing proposal 11/06/2015. Follow – up emails sent 22/07/2015 and 04/08/2015.

					No other contact details (name or number) available to chase further.
20	DB Schenker	Y	05/08/2015	I can confirm that DB Schenker has no objection to the proposed land disposal as described.	Original email sent detailing proposal 11/06/2015. Follow – up emails sent 22/07/2015 and 04/08/2015.
21	Freight Transport Association	Y	22/07/2015	Apologies, we had no comment.	
22	Rail Freight Group	N			Original email sent detailing proposal 11/06/2015. Follow – up emails sent 22/07/2015 and 04/08/2015. Call made to mobile and message left on 06/08/2015.
23	West Coast Railway	Y	22/07/2015	no comments	
24	British Transport Police	Y	06/08/2015	Approved no further comments to make. Thank you	Original email sent detailing proposal 11/06/2015. Follow – up emails sent 22/07/2015 and 04/08/2015.
25	London Legacy Development Corporation	Y	12/08/2015	Approved	

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

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

Annex 1 – Consultation Responses

1. London Travelwatch

From: [mailto:@londontravelwatch.org.uk]

Sent: 08 July 2015 13:44

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Dear

London TravelWatch has no objection to the aforementioned proposal.

Regards

2. Transport for London

From: [mailto:@tfl.gov.uk]

Sent: 07 July 2015 14:04

To:

Cc:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Hi

TfL has no comment on this property disposal.

Kind regards,

Network Development

3. South Eastern Railway

From: [mailto:@southeasternrailway.co.uk]

Sent: 15 June 2015 10:06

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Good morning

Thank you for the opportunity to review the above

Southeastern have no comment to make on this land disposal

Kind regards

Southeastern

Floor 3 Friars Bridge Court

41-45 Blackfriars Road

London

SE1 8PG

From: [mailto:@southeasternrailway.co.uk]

Sent: 03 July 2015 11:08

To:

Cc:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Good Morning

Thank you for the opportunity to review the below.

I can confirm that Southeastern has no comment on this proposal.

Kind Regards

Southeastern

Friars Bridge Court

41-45 Blackfriars Road

London

SE1 8PG

4. GB Railfreight

From: EXTL:

Sent: 13 June 2015 17:27

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
No issues from GB Railfreight.

Regards,

GB Railfreight Ltd.

3rd Floor

55 Old Broad Street

London, EC2M 1RX.

Tel:

Mobile:

E-mail: @gbrailfreight.com.

From: [mailto:@gbrailfreight.com]

Sent: 01 July 2015 09:23

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
No comment.

Rgds,

GB Railfreight

Phone:

Email: @gbrailfreight.com Post: Unit 4, Blenheim Court, Peppercorn Close, Peterborough, PE1 2DU

5. Department for Transport

From: [mailto:@railexecutive.gsi.gov.uk]

Sent: 26 June 2015 10:59

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
The Department has no comment on this proposal.

Regards,,



3/23, GMH, Great Minster House
33 Horseferry Road, London, SW1P 4DR
020

Leading a world-class railway that creates opportunity for people and businesses.

6. Association of Community Rail Partnerships

From: [mailto:@btconnect.com]

Sent: 12 June 2015 12:02

To:

Subject: Re: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
Hi

ACoRP have no objection to this disposal.

Regards

Sent from my iPad

7. Transport Focus

From: [mailto:@Transportfocus.org.uk]

Sent: 16 June 2015 15:29

To:

Subject: Re: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London 0806j16

Thank you for sending Transport Focus details of the proposed land disposal at Hackney Wick station. They note that:

various areas of land adjacent to the station are involved:

two areas north of the railway (43 and 76 square metres) will be leased to Network Rail by the London Legacy Development Corporation (LLDC),

two areas south of the railway (74 and 140 square metres) will be transferred to NR by the LLDC, NR will sell 266 square metres of land south of the railway to the LLDC, who will use it for access to a development site;

the land transferred to NR will become part of the site for a new station entrance hall and gateline;

the new land will be added to the station lease area;

the transaction are expected to be done in late August/early September, 2015.

The improved station will be welcomed by passengers; Transport Focus has no objection to the proposed disposal.

Regards,

Tel.

8. Eurostar International

From: [mailto:@eurostar.com]

Sent: 16 June 2015 09:34

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London No issue for EIL,

Kind regards,

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW

9. Direct Rail Services

From: [mailto:@drsl.co.uk]

Sent: 15 June 2015 17:35

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London Good Afternoon

DRS have no comments in relation to this consultation.

Kind regards,

10. Northern Rail

From: [mailto:@northernrail.org]

Sent: 15 June 2015 11:14

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London Hello

Northern has no objection to the land disposal at Hackney Wick Station in London

Kind regards and have a lovely Monday

Northern Rail Ltd

Northern House

York

YO1 6HZ

11. Merseyrail

From: [mailto:@merseyrail.org]

Sent: 12 June 2015 08:36

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
Merseyrail have no comments or objections to the above proposal.

Regards

Merseyrail

Tel

Mob

Emai: @merseyrail.org

Web www.merseyrail.org

12. WH Malcolm

From: [mailto:@whm.co.uk]

Sent: 12 June 2015 08:33

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

WH Malcolm has no objections to the proposal.

Regards.

Malcolm Group, Block 20, Newhouse Industrial Estate, Old Edinburgh Road, Newhouse, North Lanarkshire, ML1 5RY

Tel: | Int: Mobile:

Email: @whm.co.uk Web: <http://www.malcolmgroup.co.uk>

13. First Great Western

From: @firstgroup.com

Sent: 11 June 2015 16:20

To:

Subject: Re: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Hello

We have no objection thank you.

First Great Western

3rd Floor | Milford House | 1 Milford St | Swindon SN1 1HL

e: @firstgroup.com | m:

14. Freightliner

From: [mailto:@Freightliner.co.uk]

Sent: 11 June 2015 16:18

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

No comments from Freightliner

Regards

15. Chiltern Railways

From: EXTL:

Sent: 11 June 2015 15:56

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Hi

There are no comments from Chiltern Railways.

All the best,

16. Cross Country Trains

From: [mailto:@crosscountrytrains.co.uk]

Sent: 11 June 2015 15:41

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
I can confirm that XC Trains Ltd has no objection to this disposal.
CrossCountry

Phone: Mobile: Fax:

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

17. C2c Rail (National Express)

From: [mailto:@nationalexpress.com]

Sent: 11 June 2015 15:37

To:

Cc:

Subject: Re: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

On behalf of NXET Trains Ltd and National Express Group, I confirm that we have no objection to the proposed disposal

Rgds

18. Grand Central Railways

No response – out of office

19. COLAS Rail

No response

20. DB Schenker

From: EXTL:

Sent: 05 August 2015 09:53

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

I can confirm that DB Schenker has no objection to the proposed land disposal as described.

Yours,

DB Schenker Rail (UK) Ltd.

310 Goswell Road

London EC1V 7LW

Tel:

Fax:

21. Freight Transport Association

From: [mailto:@fta.co.uk]

Sent: 22 July 2015 15:45

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
Apologies, we had no comment.

Freight Transport Association

Mobile :

22. Rail Freight Group

No response

23. West Coast Railway Company

From: [mailto:aol.com]

Sent: 22 July 2015 15:59

To:

Subject: Re: FW: Consultation on proposed land disposal: Land adjacent Hackney Wick St...

no comments

WCR

T

M

E @aol.com

24. British Transport Police

From: [mailto:@btp.pnn.police.uk]

On Behalf Of SDD Business Support

Sent: 06 August 2015 12:50

To:

Subject: RE: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London
Approved no further comments to make.

Thank you

25. London Legacy Development Corporation

From [mailto:londonlegacy.co.uk]

Sent: 12 August 2015 17:03

To:

Cc:

Subject: RE: Legal costs relating to Property agreements

The station has always been central to the proposed masterplan for Hackney Wick Neighbourhood Centre and the scheme has been structured around the new routes opened up by the station improvements.

The station improvements works will provide the first section in an emerging 'north-south' route as part of a legible pedestrian and cycle focused network at the heart of the neighbourhood centre that will extend either side of the station. It will link to the 9,000+ new inhabitants of Hackney Wick and Fish Island, the 3500+ residents of East Wick and Sweetwater and 5,000+ direct employees at Here East on the western side of Queen Elizabeth Olympic Park.

As the new staircase enclosures and ticket office extend, in part, onto LLDC land, it is proposed that this land would be transferred/leased to NR in return for the transfer of the NR land under the southern ramp by way of a land swap agreement, thus avoiding the need for any financial payments. The land to be transferred to LLDC will allow access for Network Rail to inspect their assets i.e. railway embankment, through the new neighbourhood centre development.

As Local Planning Authority, LLDC is promoting the development of the new neighbourhood centre through the Local Plan and is promoting and supporting the station improvements through the Local Plan and Infrastructure Delivery Plan. LLDC is responsible for collecting and allocating Section 106 and CIL monies, which is being allocated to the station improvement. London Borough of Hackney is also in support of the station scheme and a letter of support was sent to the LLDC after consultation as part of the planning application which was approved on 23rd September 2014.

Regards

Queen Elizabeth Olympic Park London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

Annex 2 – Network Rail’s Consultation email

From: @networkrail.co.uk

Sent: 11 June 2015 15:06

To:

Cc:

Subject: Consultation on proposed land disposal: Land adjacent Hackney Wick Station London

Dear Consultee,

Property: Land adjacent Hackney Wick Station London

We seek to consult you as regards your views, please, on our proposed disposal by way of freehold sale.

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

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

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

We request your comments, please, by the **09th July 2015**, (including any “no comment” response). It would be helpful if your response is provided by email.

If you have any queries as regards this proposal, please direct them to xxxx, contact number below.

If future consultations of this nature should be directed differently to your organisation, please advise us of the appropriate contact details, so we may amend our records.

Yours faithfully,

Regards

Property Services
1 Eversholt Street
London, NW1 2DN
M +44 (0)
E @networkrail.co.uk

www.networkrail.co.uk/property