

Property Disposal – Specific Consent

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

1. Disposal			
Type of disposal	Long leasehold disposal.		
Rationale for disposal	<p>Redevelop the front of Manchester Deansgate station, aiming to create a better environment for passengers and general public.</p> <p>Disposal also includes an arch structure accessed from the rear of Deansgate station to accommodate ancillary uses and storage in connection with the proposed development.</p> <p>The area in front of the station has been formally documented by way of a development agreement with the purchaser. The arch structure will be documented via a separate commercial lease (yet to be agreed) with the usual railway safety and termination provisions therein.</p>		
2. Clearance	Type	Reference	Date
Clearance Details	Business	CR/50870	31/01/2024 (includes 3 month extension)
		CR/51959	10/02/2024
	Technical	CR/50870	20/01/2024
		CR/51959	01/04/2024
<p><i>[N.B. Contracts were exchanged on 23 December 2023. LC17 consent is a contractual condition]</i></p>			
3. Site			

<p>Description of property for disposal</p>	<p>The disposal area is located directly in front of Manchester Deansgate station alongside the northern boundary facing Whitworth Street West. It extends to around 0.2 acres. The station is located within Manchester City Centre inside the Knott Mill and Deansgate area.</p> <p>The railway line and station platforms run along the southern boundary, the western boundary forms part of the station's secondary entrance point which is accessed via a ramp from Whitworth Street West, the northern boundary faces Whitworth Street West public road and the eastern boundary is a private road (Bugle Street) which is owned by Network Rail.</p> <p>The disposal area also includes the arch structure that is accessed from the rear of the station at 90 Hewitt Street. Intention is to use the space for ancillary uses and storage in connection with the development itself. As the arch runs underneath operational railway, there will be standard railway provisions and safety requirements to safeguard the railway should the rail industry ever require the space.</p> <p>Please refer to the plans provided within the Appendices section below. Appendix A shows the disposal areas at ground floor level in front of the station (immediately north of the tracks) being the main development area alongside an arch off 90 Hewitt Street travelling under the viaduct and immediately to the south of the tracks. It should be noted that the footprint includes the existing ramp (part of station lease) and stairs (TfGM right of way) is included in the disposal to allow the developer to undertake optioneering and agreement with parties to provide a compliant new or alternative means of access as part of the scheme. Appendix D shows the main development footprint at ground, mezzanine and upper floors.</p>
<p>Attached plans and photographs: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)</p>	<p><u>Appendices list provided below:</u></p> <p>Appendix A – Disposal areas showing main development and arch at 90 Hewitt Street (<i>plan titled 0394918-1 RevB</i>).</p> <p>Appendix B - Location plans (<i>untitled – GEO-RINM screenshots</i>).</p> <p>Appendix C – Aerial photographs (<i>untitled – GEO-RINM and Route View screenshots, latter looking east</i>).</p> <p>Appendix D – showing disposal areas for main development at ground, mezzanine and upper floor levels (<i>plan titled 0394918-1</i>).</p> <p>Appendix E – showing no build zone imposed on development (<i>plan titled 0394918-6</i>).</p> <p>Appendix F – showing station lease at ground, mezzanine and platform levels as railway is on a viaduct (<i>plan titled 0394918-2</i>).</p> <p>Appendix G - location of station ramp area (<i>plan titled 0394918-9</i>) alongside a screenshot from Google Maps showing the same.</p>

	<p>Appendix H – location of Transport for Greater Manchester’s right to use steps up to footbridge linking station to metrolink tram stop (<i>plan titled 0394918-3</i>) alongside a screenshot from Google Maps showing the same.</p> <p>Appendix I – showing right of way granted over Bugle Street (<i>plan titled 0394918-8</i>) alongside a screenshot off Google Maps showing the same.</p>
Ordnance survey coordinates	<p>Easting (X) – 383465 Northing (Y) – 397530 Postcode – M1 5WZ</p>
4. Proposal	
Proposed party taking disposal	<p>Henry Boot Developments Limited (as Henry Boot Deansgate Limited) including any special purpose vehicles and any connected/affiliated companies. They are the selected developer following an open marketing process.</p> <p>Company number – 01390361.</p>
Proposed use / scheme	<p>It is intended to develop out the disposal area for commercial, residential or a mixed use type development.</p>
Access arrangements to / from the disposal land	<p>Existing public access via an existing ramp from Whitworth Street West to station entrance will either be retained, regraded or replaced by a new means of access to and from the station that is compliant with legislation.</p> <p>There is also public access from Whitworth Street West, across the ramp and then up a set of stairs to the footbridge that travels over Whitworth Street West. Stairs and a footbridge link the station to the metrolink tram stop on the opposite side of the road. The footbridge will remain as it is, however it is intended to either re-configure the stairs or replace the stairs fully with a new means of access that is compliant with legislation.</p> <p>Details of any new means of access is TBC and stakeholders will be fully consulted on this in due course.</p> <p>The ramp to and from the station is shown on Appendix G and TfGM’s right to use the stairs to access the footbridge over Whitworth Street West is shown on Appendix H.</p> <p>The purchaser/developer will also take a right of way over Bugle Street which is a private road owned by Network Rail. Intention is to use that for servicing and deliveries in connection with the use. Please refer to plan provided (Appendix I). Purchaser/developer is only permitted to use the northern end of Bugle Street to avoid additional vehicles travelling under the viaduct which might otherwise increase the risk of vehicle strikes.</p>

Replacement rail facilities (if appropriate)	There will be no replacement of rail facilities as part of this disposal aside from potential new means of access as described above which will be funded/delivered by the purchaser/developer as a development enabling cost.
Anticipated rail benefits	<p>The development will create a new 3m clearance area from the viaduct as a new “no build zone” (as shown on Appendix E) for any required railway access from street level up to viaduct level. Currently, the structure is physically attached to the viaduct.</p> <p>Network Rail reserve the right to access over the no build zone and to undertake any necessary works to the railway and viaduct.</p>
Anticipated non-rail benefits	<p>The redevelopment will bring about benefits to the local environment, community, and economy, for passengers and the general public.</p> <p>Temporary construction jobs will be created during the construction works. These will be followed by permanent jobs in connection with management of the development itself.</p> <p>If a residential scheme is delivered, this will provide new housing stock and if a commercial scheme is delivered this will create jobs, inward investment and contribute to the local economy.</p> <p>Environmental improvements will also result from the scheme. The current building and structures will be replaced by a new building that is required to be environmentally efficient, alongside hard and soft landscaping. Such improvements will benefit local neighbourhoods and also the City Centre.</p>
5. Timescales	
Comments on timescales	<p>A Development Agreement was exchanged with the purchaser/developer in December 2023. The Development Agreement will run for a period of 5 years from date of specific consent approval from Office of Rail and Road. If no approval is granted, the contract automatically falls away and the scheme will not proceed.</p> <p>During the same 5 year period, NR and the purchaser will work together to agree engineering methods and solutions to ensure the safety and smooth operation of the railway and station during the construction phase and post-completion. Contractual obligations oblige the purchaser/developer to agree a detailed methodology in advance of works commencing and enter into an Asset Protection Agreement. Network Rail retain a further layer of control via a right to approve the purchaser/developer’s planning application.</p>

6. Railway Related Issues	
History of railway related use	Originally, it is understood that the disposal area was used as an open goods yard until around the 1960's. Then the additional structures/buildings were built to house a railway social club which was in use until the late 1980's to early 1990's. Since the railways were privatised, the social club closed down and it has been commercially let to tenants since then.
When last used for railway related purposes	It was originally used as a railway good yard until around the 1960's. Then it was used to house a railway social club until the late 1980's to early 1990's. Since privatisation, it was not used for railway related purposes as the land and building has been commercially let out to tenants.
Any railway proposals affecting the site since that last relative use	Since privatisation, the disposal area accommodated a new stairway for passengers and members of the public to access to and from the walkway over Whitworth Street West which was constructed around 2005.
Impact on current railway related proposals	<p>There are no known other railway related proposals aside from means of access as described elsewhere in the document.</p> <p>It is also known that there are proposed works at nearby Oxford Road station (located just to the east of Deansgate station) due around late 2020's to early 2030's. Therefore, the Sponsorship team have been appointed to manage any required interfaces between this disposal and the planned works at Oxford Road station.</p>
Potential for future railway related use	<p>It is confirmed that there are no foreseeable railway plans for the disposal areas itself. XXX XXXX, Lead Strategic Planner in the System operator function, confirmed on 18th September 2024 there are no issues with the proposed disposal.</p> <p>Sponsorship team for the wider Manchester North West Transformation Programme ("MNTP") which includes a programme of works across Manchester City Centre station have also been informed and are acting as Sponsors for this scheme.</p>
Any closure or station change or network change related issues	<p>There will be a station change application as part of this project to vary the station lease area and rights to which Northern Rail is the current SFO. Appendix F shows the current station lease boundary.</p> <p>Current proposals intend to take air space over part of the station lease area but not to include any land or air space classed as operational railway.</p> <p>There are no network change implications.</p>

<p>Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future</p>	<p>Access to and from the station will either be retained or replaced with a new and compliant access solution.</p> <p>Scheme will provide a new means of access for the railway via a new 'no build zone' as described above. This is to allow access and permit any necessary works for the benefit of the railway.</p>
<p>Position as regards safety / operational issues on severance of land from railway</p>	<p>The disposal does not include any requirement for new fencing nor there is any new fencing required and any boundary demarcation as operational railway is located on a viaduct.</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> <p>Purchaser/developer has submitted an initial methodology form which has been approved by NR engineers. Purchaser/developer has entered into a BAPA and will be required to enter into an APA in due course to ensure safety and smooth operation of the railway.</p>
<p>Safety issues identified</p>	<p>The disposal documentation shall include Network Rail's usual safety provisions appropriate to this disposal site and type of disposal.</p> <p>The disposal includes a requirement to enter into a Basic Asset Protection Agreement and Asset Protection Agreement in the Network Rail templated form as applicable at the time of the disposal and subject to such reasonable modification as appropriate to the disposal site and its intended use.</p> <p>Additional disposal site specific safety conditions identified in the Clearance Certificate in addition to those usually referenced for any disposal:</p> <ul style="list-style-type: none"> • Maintain a standard minimum of 3m clearance (imposed via an agreed no build zone) • To work with ASPRO, Sponsors and RAM's to address any implications around services/utilities, structures/foundations, scaffold design, working close to existing OLE wires and stanchions.

	<ul style="list-style-type: none"> There are standard restrictions in lease not to interfere with existing railway in terms of safety and smooth operation, including no interference with electricity capacity and telecoms. <p>(N.B. The safety conditions described above are a requirement of the Technical Clearance Certificate and are relevant at the disposal stage of the transaction. These requirements are subject to change e.g. by development of subsequent detailed designs that may necessitate amended safety requirements subject to consultation and agreement by the railway engineer)</p>
7. Planning History and Land Contamination	
Planning permissions / Local Plan allocation (if applicable)	<p>It is understood that there is no specific allocation for the disposal area although it is currently classed for “Sui Generis” type use. However, the immediate area has seen comparable high rise and high-density developments being approved by Manchester City Council. Informal discussions with Manchester City Council planners were positive and indicated they would welcome an application based on the current proposals, as this would be in line with the immediate area and would see an improvement in the area around the station.</p> <p>There are heritage implications with the station building itself being a Grade II listed building so the scheme is likely to require Listed Building Consent. The disposal area is not located within a conservation area.</p> <p>Network Rail has the right to veto any planning application on grounds of safety and smooth operation of the railway.</p>
Contamination / Environmental Issues (if applicable)	<p>Given the past railway use for over 100 years, it is likely that there will be some levels of contamination in-situ.</p> <p>Current legislation and policies will encourage the development to ‘perform’ strongly in terms of environmental and sustainability implications such as energy efficiency, biodiversity net gain and similar.</p>
8. Internal Consultation	
Internal consultation	Internal consultation has been completed with full clearance certificates, including confirmation from system operator function and sponsors managing the wider MNTP programme.
9. Local Authorities	
Names & Email Addresses:	Manchester City Council.

Local Transport Authorities:	Transport for Greater Manchester.
10. Internal approval to consult	
Recommendation:	<p>By proceeding to consult I am:</p> <ul style="list-style-type: none"> • recommending that Network Rail consults on the terms of disposal • confirming that I have read and understood Network Rail's Code of Business Ethics and policy on Interests in Transactions • confirming that I have secured internal written approval to consult in accordance with Network Rail's policy on Authorising Application Forms.
11. External Consultation	
Summary of position as regards external consultations	<p>32 consultees were consulted on this proposal disposal to which 26 consultees confirmed no comments or no objection, five consultees provided initial comments which were addressed and one did not respond at all. There were no objections lodged.</p> <p>The five consultees who provided comments were Transport for Greater Manchester, Transport for North, Northern Rail, Manchester City Council and TransPennine Express. The promoter responded to comments from both Transport for Greater Manchester and Northern Rail to which they subsequently confirmed they were supportive of the disposal and provided no further comments. Promoter responded to comments to Transport for North and TransPennine Express who then did not provide any further comments or confirmed any objection. Comments from Manchester City Council were all accepted by the promoter and did not deviate from any of detail set out in the disposal consultation form. The same consultees (save as for Manchester City Council) have all been notified of Network Rail's intention to submit this to the ORR for determination who then did not provide any further comments.</p>

<p>Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward</p>	<p>There were no unresolved objections.</p>
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12. Internal approval to dispose	
Recommendation:	Based on the above, I recommend that Network Rail proceeds with the 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: Principal Development Manager, NW&C and Scotland
Signed.....	Date...25/11/2024.....
Authorised by:	Authoriser's job title: Development Director
Signed.....	Date.....25/11/2024.....