

**Les Waters**  
Manager, Licensing  
Railway Markets and Economics  
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Telephone 020 7282 2106



3 February 2017

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

### **Network licence condition 7 (land disposal): Sinfin Branch Line, Derby**

#### **Decision**

1. On 6 December 2016, Network Rail gave notice of its intention to dispose of land at Sinfin Branch Line, Derby (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). Network Rail has also provided additional information included at Annex B.
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**

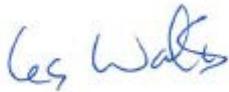
3. We are satisfied that Network Rail has consulted all relevant stakeholders with current information and taken into account the representations it received.
4. In considering the proposed disposal we note that:
  - there was no evidence that existing railway operations would be affected adversely;
  - there was no reasonably foreseeable requirement that the land might be used for the future development of the network; and
  - Network Rail has completed the Network Change procedure for the line, as required by Part G of the Network Code, so that it no longer forms part of its network.
5. One consultee, Freightliner, considered that Network Rail should attach a restrictive covenant to the disposal, requiring the purchaser to use the land only for railway purposes, as a means of precluding the land's redevelopment. However, we note that the branch line terminates in the vicinity and it was not identified as having a reasonably foreseeable use in the future development of the railway network. We therefore do not consider that we should require Network Rail to take such action in the absence of any evidence to support such a restriction.



6. 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 further issues for us to address.

7. We have had regard to our decision criteria in *Land disposal by Network Rail: the regulatory arrangements, December 2013*,<sup>1</sup> 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”.

8. 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**

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<sup>1</sup> Available from [www.rail-reg.gov.uk/server/show/nav.150](http://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	Sinfin Branch Line (Including Sinfin North disused Platform, Sinfin Central disused Platform and Anglers Lane Level Crossing), Anglers Lane, Derby
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	5168390-1 Sinfin Sales Plan
Clearance Ref:	<ul style="list-style-type: none"> <li>• CR/27328</li> <li>• CR/29669 (amended boundary to include Sinfin North as per internal Network Change consultation)</li> </ul>
Project No.	00009718: LNE Sales/MF
ELR Mileage	MJS1 130m 40c
Photographs (as required)	N/A
2. Proposal	
Type of disposal (i.e. lease / freehold sale)	Freehold Sale of Sinfin Branch Line including Sinfin North disused platform and Sinfin Central disused platform and level crossing (known locally as Anglers Lane) to adjoining land owner; Rolls Royce Plc.
Proposed party taking disposal	Rolls Royce Plc 62 Buckingham Gate, London SW1E 6AT
Proposed use / scheme	Creation of a private siding via a connection agreement between Rolls Royce and NRIL for the delivery of aviation fuel to Rolls Royce's existing plant which will remain unaffected by the disposal.
Access arrangements to /	The branch line and platform infrastructure can only be accessed

<p>from the disposal land</p>	<p>from Anglers Lane level crossing (Sinfin Central) which will be closed to the general public and used exclusively for the passing of Rolls Royce employees between its two factory sites under the proposal for disposal.</p> <p>Rolls Royce will become responsible for the maintenance and operation of the level crossing.</p> <p>Derby Remodelling; Full 24/7 unrestricted unrestrained access, at no cost, to the area being retained for Network Rail and its contractors in order to undertake any inspection and maintenance works, the future removal of signalling equipment, installation of new whistle boards and to plain line SINFIN No.3 Ground Frame.</p>
<p>Replacement rail facilities (if appropriate)</p>	<p>Not applicable. Sinfin Branch Line and its associated Platforms (Sinfin North and Sinfin Central) have been disused commercially since 2002. The Branch Line now only serves the delivery of aviation fuel to the Rolls Royce plant which will remain unaffected by the proposal. Replacement rail facilities are therefore not required.</p>
<p>Anticipated Rail benefits</p>	<p>NRIL currently retain asset ownership of the disused station platforms at Sinfin North and Sinfin Central. In addition NRIL currently retain liability for the level crossing at Sinfin central known as Anglers Lane.</p> <p>Proposals to close this level crossing under the Level Crossing Closure Programme resulted in the enquiry from Rolls Royce to purchase the platform and Branch Line.</p> <p>In disposing of the Branch Line and associated infrastructure (Sinfin North and Sinfin Central Platforms (including Anglers Lane Level Crossing)) NRIL will dispose of a contingent maintenance liability and will pass ownership of Anglers Lane to Rolls Royce as promoted under the Level Crossing Closure Programme.</p>
<p>Anticipated Non-rail benefits</p>	<p>Rolls Royce have longer term aspirations to develop a loop siding system which would improve the efficiency and safety of aviation fuel delivery to its plant and increase investment in the Branch Line.</p> <p>The disposal of the Branch Line and associated infrastructure outlined in this proposal supports Rolls Royce as an internationally renowned British engineering company with a strong local record of employment and investment in the Derby area.</p>
<p><b>3. Timescales</b></p>	
<p>Comments on timescales</p>	<p>The disposal will be as soon as can be arranged once consent has been received.</p>

#### 4. Railway Related Issues

History of railway related use	<p>The line between Peartree &amp; Normanton, Melbourne Jn. and Chellaston West Jn. lost its regular passenger service from 22 September 1930 (although it was subsequently used for excursions and for military trains in conjunction with the Melbourne Military Railway).</p> <p>The whole line was redesignated a siding from 29 June 1969, and the section south-east of the Rolls Royce siding to Chellaston West Jn. was taken out of use from 31 December 1973 but for the delivery of aviation fuel to Rolls Royce.</p> <p>In September 1976 Derbyshire County Council prompted the construction of two new halts - Sinfin North and Sinfin Central - and the re-opening for passenger services of the Peartree - Sinfin Central section of the branch with effect from 4 October 1976 to try and encourage workers road traffic to and from factories along the line.</p> <p>Although both halts were advertised in the public timetable, North was accessible only from two adjacent factories, not from a public right of way. Unfortunately, demand was minimal and from 11 May 1992 the service was reduced to a nominal single round trip, just before 7 a.m. on Monday to Fridays. Because the track circuit equipment on the branch was not compatible with newer multiple units subsequently introduced on services in the area, even this single round trip ceased to run regularly from the timetable change on 17 May 1993.</p> <p>Thereafter, one round trip remained advertised in the public timetables any passengers who turned up at Derby station were provided with a taxi. A formal closure proposal was initiated under the Transport Act 1963 closure process, but the application was withdrawn on 26 May 1994. Stalled for four years, the application was revived under new legislation and on 21 May 1998 the Rail Regulator decided that closure should be approved - although the two Sinfin halts could not be demolished for ten years in case the service could be resuscitated.</p> <p>However, seven objections to that decision meant that it required Ministerial endorsement before it could be implemented; this endorsement was given by letter of 27 August 1998 but with the requirement that the replacement taxi service continue until April 2004. The requirement to continue the taxi service was not finally lifted until another Ministerial authority, given in letter of 23 September 2002.</p>
When last used for railway related purposes	In the absence of any 'with effect from' dates quoted in either Ministerial decision letter it is presumed that the withdrawal of 'rail' services was effective from <b>23<sup>rd</sup> September 2002</b> .

Any railway proposals affecting the site since that last relative use	None known.
Impact on current railway related proposals	A Network Change proposal for the Derby Remodelling project is currently being promoted although there is no impact or interface with this proposal for disposal.
Potential for future railway related use	<p>There are no proposals in the Route Utilisation Study or Initial Industry Plan for CP6 for future railway related use(s) along Sinfin Branch Line nor any plans to re-open the disused platforms at Sinfin Central or Sinfin North.</p> <p>As outlined above the Level Crossing at Sinfin Central known locally as Anglers Lane was proposed to be closed as part of the Level Crossing Programme which opened up dialogue with Rolls Royce about its potential disposal.</p> <p>The existing local arrangement for the delivery of aviation fuel to Rolls Royce will remain unchanged by the proposal which would convert the branch line into a private siding with a connection agreement with NRIL.</p>
Any closure or station change or network change related issues	<p>Sinfin North and Sinfin Central Platforms have been formally closed and are classified as disused.</p> <p>A Network Change internal consultation resulted in an amendment to the proposed boundary to include Sinfin North Platform for which a revised Clearance was circulated and approved (CR/29669).</p> <p>An Establishment Notice under Network Change has since been issued on 1<sup>st</sup> November 2016 (NC/G1/2016/LNE/009).</p>
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	<p>The local arrangements for the delivery of aviation fuel to Rolls Royce are unaffected by the proposal to dispose of the branch line and associated infrastructure.</p> <p>In the future the branch line would be classified as a private siding with a connection agreement with NRIL where the boundary meets NR's retained operational boundary.</p>
Position as regards safety / operational issues on severance of land from railway	<p>The disposal includes arrangements under which Rolls Royce will install new boundary fencing along the new operational railway boundary providing a deterrent to trespass defined in accordance with the requirements contained within NR/L2/TRK/5100. Network Rail will assume ownership and maintenance of the new lineside fence, the former Network Rail boundary fence will be the responsibility of the purchaser.</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</p>

	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.
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## 5. Planning History and Land Contamination

Planning permissions / Local Plan allocation (if applicable)	N/A
Contamination / Environmental Issues (if applicable)	To be confirmed pending consultation

## 6. Consultations

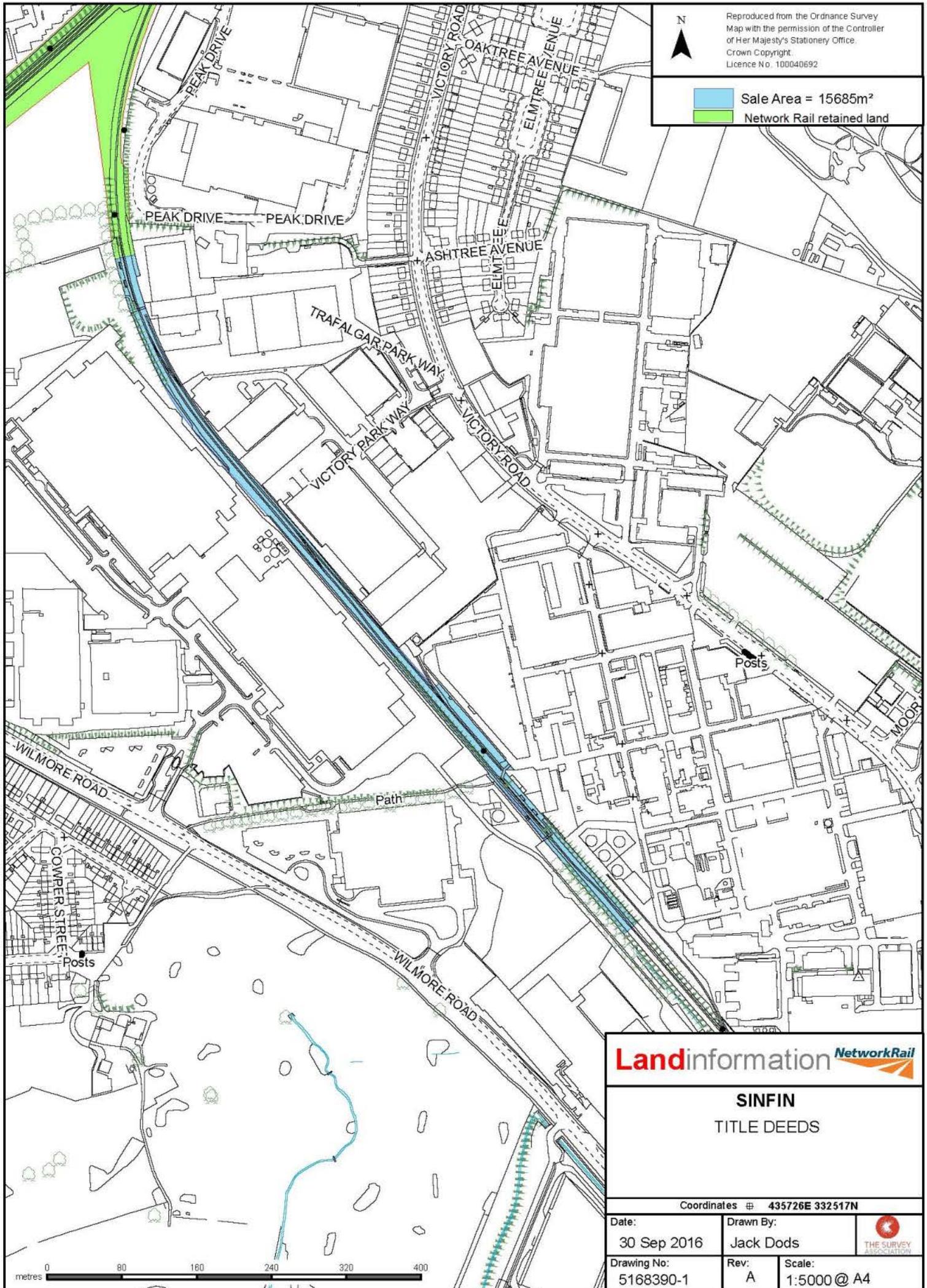
Railway (internal – Network Rail)	Internal clearances (business and technical) have been granted for the disposal.  An Establishment Notice under Network Change was formally issued on 1 <sup>st</sup> November 2016 (NC/G1/2016/LNE/009).
Summary of position as regards external consultations	External consultation(s) have been undertaken both under Network Change and LC7 Consent to Dispose.  No external objections have been raised to the proposal for sale.  A full stakeholder consultation report is appended to this application.
Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	There were no unresolved objections.

## 7. Local Authorities

Names & Email Addresses:	Derby City Council Council House Corporation Street Derby DE1 2FS
Local Transport Authorities:	Derby City Council Council House Corporation Street Derby DE1 2FS
Other Relevant Local Authorities:	Not applicable

## 8. Internal Approval

<b>Recommendation:</b>	Based on the above, I recommend that Network Rail proceeds with the disposal.	
<b>Declaration:</b>	I have read and understood Network Rail's Code of Business Ethics and Policy on Interests in Transactions.	
Surveyor Name:	xxxx	
Approved by Property Services Manager	Name: xxxx	Date Approved by PDM: 16 Nov. 2016



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Sale Area = 15685m<sup>2</sup>  
 Network Rail retained land

**Landinformation**

**SINFÍN**  
TITLE DEEDS

Coordinates @ 435726E 332517N

Date: 30 Sep 2016	Drawn By: Jack Dods	
Drawing No: 5168390-1	Rev: A	

# CONSULTATION REPORT

relating to

## PROPOSED LAND DISPOSAL

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

Site location and description: Sinfin Branch Line, Anglers Lane, Derby

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

Summary of position regarding responses:

There are no objections to the sale of the Sinfin Branch Line. Comments were received from West Coast railway and W. H. Malcolm but after further consultation with the parties involved no objections remain.

No responses were received from Grand Central Railways, Northern Rail, DB Cargo, Freight Transport Association, ACORP despite follow up emails but they are not considered key stakeholders.

## Land disposal consultation report

The full list of external consultees is set out below:

No.	External party (name)	Contact name, email address and telephone	Whether response received (y/n)	Date of response	Details of response  (e.g. “no comment”), with reference to any accompanying copy representation in annexes to this report	Comments  (e.g. as regards endeavours to obtain response where none given)
1	Department for Transport	<a href="mailto:@dft.gsi.gov.uk">@dft.gsi.gov.uk</a>	Y	2/11/2106	No comment	
2	Arriva Trains Cross Country	<a href="mailto:@crosscountrytrains.co.uk">@crosscountrytrains.co.uk</a>	Y	26/10/2016	No comment	
3	Stagecoach South Western Trains Limited	<a href="mailto:@swtrains.co.uk">@swtrains.co.uk</a>	Y	3/11/2016	No Comment	
4	Eurostar	<a href="mailto:@eurostar.com">@eurostar.com</a>	Y	11/10/2016	No comment	
5	GWR	<a href="mailto:@gwr.com">@gwr.com</a>	Y	5/10/2016	No comment	
6	Grand Central Railway	<a href="mailto:@grandcentralrail.com">@grandcentralrail.com</a>	N	-	No response	Initial email dated 4 October 2016

## Land disposal consultation report

						followed up with a supplemental email dated 27 October 2016. No response recieved
7	South Eastern Railway	<a href="mailto:@southeasternrailway.co.uk">@southeasternrailway.co.uk</a>	Y	6/10/2016	No comment	
8	Mersey Rail	<a href="mailto:@merseyrail.org">@merseyrail.org</a>	Y	6/10/2016	No comment	
9	Northern Rail	<a href="mailto:@northernrail.org">@northernrail.org</a>	N	-	No response	Initial email dated 4 October 2016 followed up with a supplemental email dated 27 October 2016. No response recieved
10	COLAS Rail	<a href="mailto:@colasrail.co.uk">@colasrail.co.uk</a> <a href="mailto:@colasrail.co.uk">@colasrail.co.uk</a>	Y	5/10/2016	No comment	
11	Direct Rail Services	<a href="mailto:@dsrl.co.uk">@dsrl.co.uk</a> <a href="mailto:@drsl.co.uk">@drsl.co.uk</a>	Y	14/10/2016	No comment	
12	DB Cargo	<a href="mailto:@dbschenker.com">@dbschenker.com</a>	N	-	No response	Initial email dated 4 October 2016 followed up with a supplemental email dated 27 October 2016. No response recieved
13	Freight Transport Association	<a href="mailto:@fta.co.uk">@fta.co.uk</a>	N	-	No response	Initial email dated 4 October 2016 followed up with a supplemental email dated 27 October 2016. No response

## Land disposal consultation report

						recieved
14	Freightliner Limited	<a href="mailto:@freightliner.co.uk">@freightliner.co.uk</a>	Y	6/10/2016	No objections provided Rolls Royce are under covenant to use land/sidings for rail use only.	
15	GB Railfreight Limited	<a href="mailto:@gbrailfreight.com">@gbrailfreight.com</a>	Y	12/10/2016	No comment	
16	Rail Freight Group	<a href="mailto:@rfg.org.uk">@rfg.org.uk</a>	Y	5/10/2016	No comment	
17	West Coast Railway Company	<a href="mailto:@aol.com">@aol.com</a>	Y	6/10/2016	Raised comments relating to the protection of future rail use of the branch. Confirmed no objections to disposal after consultation	
18	W.H. Malcolm	<a href="mailto:@whm.co.uk">@whm.co.uk</a>	Y	17/10/2016	Raised comments relating to a commercial leasing point which are not a factor in LC7 applications. Confirmed no objections to disposal after consultation	
19	Association of Community Rail Partnerships	<a href="mailto:@acorp.uk.com">@acorp.uk.com</a>	N	-	No response	Initial email dated 4 October 2016 followed up with a supplemental email dated 27 October

## Land disposal consultation report

						2016. No response recieved
20	British Transport Police	<a href="mailto:@btp.pnn.police.uk">@btp.pnn.police.uk</a>	Y	4/11/2016	No comment	
21	Transport Focus	<a href="http://transportfocus.org.uk">@transportfocus.org.uk</a>	Y	6/10/2016	No comment	
22	Derby City Council	<a href="http://derby.gov.uk">@derby.gov.uk</a>	Y	12/10/2016	No comment	
23	East Midlands Trains Limited	<a href="http://eastmidlandstrains.co.uk">@eastmidlandstrains.co.uk</a>	Y	8/11/2016	No comment	

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.

## Land disposal consultation report

### Annex 1 – Stakeholder Responses

#### 1. Department for Transport

**From:** [@dft.gsi.gov.uk](mailto:@dft.gsi.gov.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 02 November 2016 14:29:50

Hi ,  
The DfT have no comments.

Many thanks,  
**Department for Transport**

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#### 2. Cross Country Trains

**From:** [@crosscountrytrains.co.uk](mailto:@crosscountrytrains.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 26 October 2016 10:36:21

**Attachments:** [image001.png](#)

XC Trains Ltd has no comment on this proposed disposal.

Regards  
CrossCountry  
Phone: 0121 Mobile: Fax: 0121  
Address: 5th Floor, Cannon House, 18 The Priory Queensway, Birmingham, B4 6BS

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

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## Land disposal consultation report

### 3. South West Trains

**From:** [@swtrains.co.uk](mailto:@swtrains.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Cc:** [@eastmidlandstrains.co.uk](mailto:@eastmidlandstrains.co.uk)

**Subject:** Re: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 03 November 2016 15:27:50

With reference to the above proposed Land Disposal, on behalf of Stagecoach South Western Trains Ltd 'No Comment'  
Please note that I will no longer be responding to these proposals on behalf of East Midland Trains Ltd, I have passed this forward to xxxx at EMT for comment.

Stagecoach South Western Trains / East Midlands Trains

Tel - 020

Mob -

Head Office:

SSWT, Friars Bridge Court, 41-45 Blackfriars Road, London SE1 8NZ

EMT, Prospect House, 1 Prospect Place, Millennium Way, Pride Park, Derby DE24 8HG. Tel: 01332 867000

Stagecoach Rail: 10 Dunkeld Road, Perth PH1 5TW

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### 4. Eurostar International Ltd.

**From:** [@eurostar.com](mailto:@eurostar.com)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 11 October 2016 09:34:10

**Attachments:** [EAS](#)

No issue for EIL,

Thanks

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW

T +44 (0)20 78

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## Land disposal consultation report

### 5. Great Western Railway

**From:** [@gwr.com](mailto:@gwr.com)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 05 October 2016 10:15:28

**Attachments:** [EAS](#)

Good Morning

Thank you for sight.  
We have no objection.

Great Western Railway  
1 Milford Street | Swindon | SN1 1HL

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### 6. Grand Central Railways

No response

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### 7. South Eastern Railway

**From:** [@southeasternrailway.co.uk](mailto:@southeasternrailway.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 06 October 2016 10:21:14

**Attachments:** [EAS](#)

Good Morning

Thank you for the opportunity to review the below.  
Southeastern has no comment on this proposal.

Kind Regards

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## Land disposal consultation report

### 8. Merseyrail

**From:** [@merseyrail.org](mailto:@merseyrail.org)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 06 October 2016 11:35:06

**Attachments:** [EAS](#)

Merseyrail have no comments on the above proposal.

Regards,  
Merseyrail  
Tel

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### 9. Northern Rail

No response

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### 10. COLAS Rail

**From:** [@colasrail.co.uk](mailto:@colasrail.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 05 October 2016 17:48:56

**Attachments:** [EAS](#)

No comment on proposed disposal

Colas Rail Limited <<http://www.colasrail.co.uk/imgSig/oscar/crloscar92x72.png>>

Tel. - Mob.

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## Land disposal consultation report

### 11. Direct Rail Services

**From:** [@dsrl.co.uk](mailto:@dsrl.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 14 October 2016 10:37:55

**Attachments:** [EAS](#)

Good Morning

DRS have no comments.

Kind Regards,  
Direct Rail Services, Regents Court,  
Baron Way, Carlisle

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### 12. DB Cargo UK

**No response**

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### 13. Freight Transport Association

**No response**

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### 14. Freightliner

**From:** <[@Freightliner.co.uk](mailto:@Freightliner.co.uk)>

**Sent:** 06 October 2016 10:45

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Cc:**

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

## Land disposal consultation report

Freightliner has no objection to this proposal, provided Rolls Royce are under covenant to use the land/sidings only for rail use i.e the disposal area should not be redeveloped for other purposes in the future.

Regards

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### 15. GB Railfreight

**From:** [@gbrailfreight.com](mailto:@gbrailfreight.com)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 12 October 2016 18:06:21

**Attachments:** [EAS](#)

No issues from GB Railfreight.

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

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### 16. Rail Freight Group

**From:** [@rfg.org.uk](mailto:@rfg.org.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

**Date:** 05 October 2016 11:10:20

**Attachments:** [EAS](#)

Ok with RFG

Rail Freight Group

## Land disposal consultation report

7 Bury Place  
London  
WC1A 2LA

Tel 020  
Fax 020  
Mobile

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### 17. West Coast Railway Company

**From:** @aol.com  
**To:** @networkrail.co.uk  
**Cc:**  
**Subject:** Re: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane,...  
**Date:** 07 November 2016 19:38:48

Whilst WCR have no specific objections, you haven't actually answered the question I asked, namely:

*I'd be grateful to know what provision has been made to protect such a proposal, as the freehold disposal of the land in question would make any such plan commensurately more difficult.*

WCR  
T  
M  
E @aol.com

In a message dated 07/11/2016 11:13:23 GMT Standard Time, @networkrail.co.uk writes:

Thank you for responding. In light of your comments and further to your email we can confirm that there are no proposals in the Route Utilisation Study for future railway related uses along the Sinfon Branch Line. We would therefore be grateful if you could confirm that West Coast Railway Company has no objection to the proposed land disposal.

Kind regards,

## Land disposal consultation report

**From:** [mailto: @aol.com]

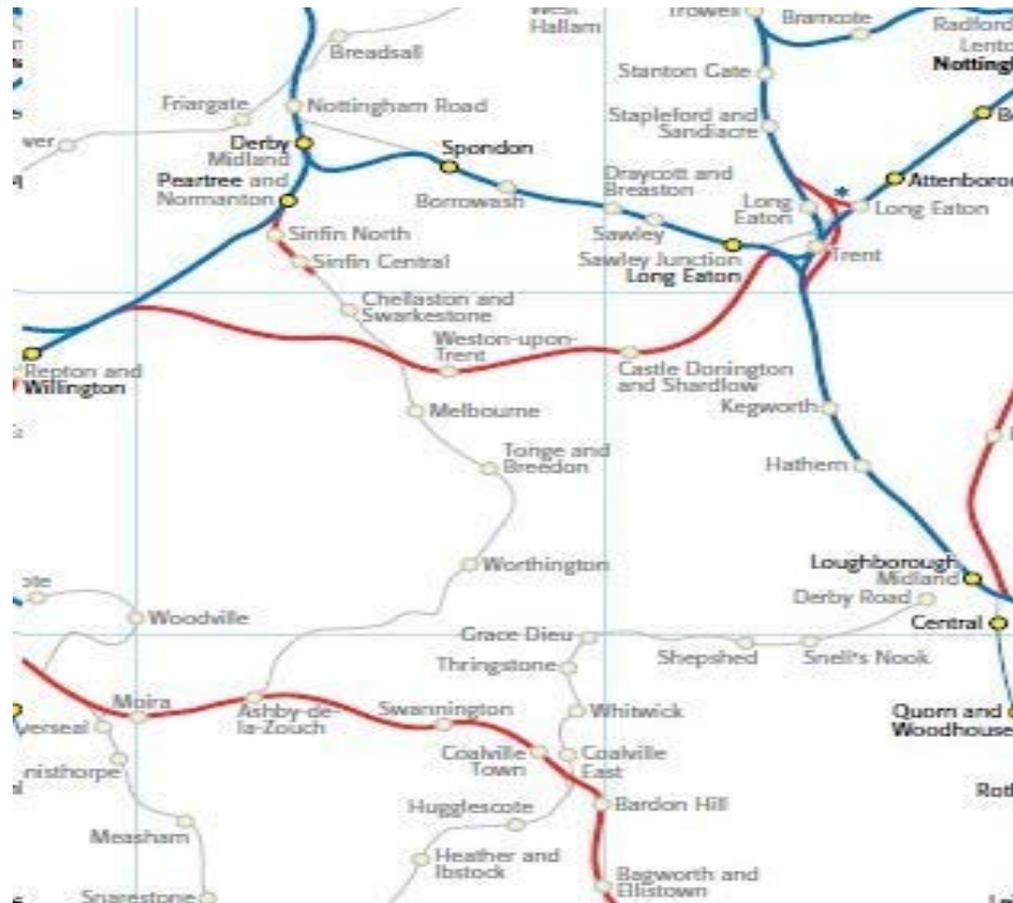
**Sent:** 06 October 2016 10:41

**To:** @networkrai.co.uk

**Cc:**

**Subject:** Re: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane,...

Whilst noting that no plans exist in current Route studies, I am aware (although I don't know the origins) that various proposals have been made in recent years for the re-opening of the full route, beyond Sinfin (closed Dec 1973) to the former Chellaston Junct, on the Stenson Junct - Sheets Stores Junct line, as a diversionary route from Derby:



## Land disposal consultation report

I'd be grateful to know what provision has been made to protect such a proposal, as the freehold disposal of the land in question would make any such plan commensurately more difficult.

Best  
WCR  
T  
M  
E wotho@aol.com

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### 18. W. H. Malcolm

**From:** [@whm.co.uk](mailto:@whm.co.uk)  
**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)  
**Cc:**  
**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby  
**Date:** 18 October 2016 10:14:06  
**Attachments:** [image7123b1.PNG](#)

You mention Licence Condition 7 considerations. There is also Licence Condition 9 – Non-discriminatory behaviour. I am simply trying to establish that all parties are being treated in a non-discriminatory basis. I do not understand why you consider that to be a commercial consideration. I've asked these questions several times and am clearly not going to get an answer. Given this I confirm there are no objections.

Regards.

**From:** [mailto:[@networkrail.co.uk](mailto:@networkrail.co.uk)]  
**Sent:** 17 October 2016 16:27  
**To:** [@whm.co.uk](mailto:@whm.co.uk)  
**Cc:**  
**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

Many thanks for your email. I understand that you have raised this issue with NR previously and would confirm that commercial considerations relating to disposal is not a factor under Licence Condition 7.

The purpose of Licence Condition 7 is to ensure that land in which Network Rail has an interest and which may be important to the continuing operation and future development of the network is not disposed of against the public interest. It is on this basis that consultation is carried out.

## Land disposal consultation report

With regards to 'other facilities available in the general area' I would be grateful if you confirm the kind of facilities you refer to. As you will note from the 'Proposed Property Disposal' form provided, it states that the withdrawal of 'rail' services was effective from 23rd September 2002.

Kind regards,

**From:** [<mailto:@whm.co.uk>]

**Sent:** 17 October 2016 14:53

**To:** @networkrail.co.uk

**Cc:**

**Subject:** RE: Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

I have been informed by Network Rail that you only now grant leases of facilities for rail freight use if they include unencumbered 90 day termination provisions linked to the level of train use. It has been explained that this applies to multi million pound investments. It has been explained that Network Rail has taken this approach in order to protect parties who are not currently users of rail. It has been made clear that investors in rail freight hold the risk. Presumably, the same principle must be addressed as part of a sale proposal.

In order that I can respond please provide answers to the following questions / information requests:

1. Why the sale option has been selected rather than a lease subject to 90 day termination provisions
2. Provide details of other facilities available in the general area (to demonstrate alternative facilities are available)

Thanks.

**| W H Malcolm Ltd**

Malcolm Logistics, Block 20, Edinburgh Road, Newhouse Industrial Estate, Newhouse, ML1 5RY

**DD: | Tel: | Mobile:**

**Email:** @whm.co.uk | **Web:** www.malcolmgroup.co.uk | Malcolm Group on LinkedIn

**P SAVE PAPER - Please do not print this e-mail unless absolutely necessary**

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## 19. Association of Community Rail Partnerships

**No response**

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## 20. British Transport Police

**From:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**To:** @networkrail.co.uk

**Cc:**

**Subject:** FW: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 04 November 2016 09:40:06

## Land disposal consultation report

Good morning,

Apologies for the delay in sending this to you, please note the comments below.

Thank you

British Transport Police  
25 Camden Road  
Camden  
London NW1 9LN

Tel: 0207  
Mobile :

**From:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**Sent:** 04 November 2016 09:22

**To:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

Good morning

I'm happy with this going ahead with no recommendations from myself in addition to what is proposed.

I was initially concerned of the potential for persons to gain access to the branch line and walk on to the Network Rail mainline but the purchaser has to install new fencing on the boundary between the branch line and the mainline which I was happy to see.

Regards

**British Transport Police**

Nottingham Station, Queen's Road, Nottingham, NG2 3AS

email [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

mobile

[www.btp.police.uk](http://www.btp.police.uk)

[Crime Reduction Referral Form](#)

**Unless otherwise stated above, this e-mail is considered 'OFFICIAL'**

**From:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**On Behalf Of** Crime-Reduction

**Sent:** 03 November 2016 15:51

**To:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**Cc:**

**Subject:** FW: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

## Land disposal consultation report

Hi

Could you please deal with this request? CRR no is CRU-2016-0836

Thanks,

British Transport Police, 25 Camden Road, London, NW1 9LN

Office:

Internal:

E-mail: [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

[www.btp.police.uk](http://www.btp.police.uk)

**From:** [@btp.pnn.police.uk](mailto:@btp.pnn.police.uk)

**On Behalf Of**

**Sent:** 03 November 2016 10:27

**To:** Crime-Reduction

**Cc:**

**Subject:** FW: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

Good morning,

Please note the above, deadline was the 2nd November can we take a look at this please

Regards

**Strategy & Performance Department**

British Transport Police

25 Camden Road

Camden

London NW1 9LN

Tel: 0207

Mobile :

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## 21. Transport Focus

**From:** <[@transportfocus.org.uk](mailto:@transportfocus.org.uk)>

**Sent:** 06 October 2016 14:29

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** Re: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby 0410f17

## Land disposal consultation report

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

it is the freehold sale to Rolls-Royce of most of the branch railway to Sinfin, including the disused

and closed platforms at Sinfin North and Sinfin Central, and Anglers Lane level crossing;  
the level crossing will be closed to the public;  
the traffic in aviation fuel will continue on the line, which will become a private siding;  
an external Network Change has been issued for that change;  
the railway has been presumed closed to passengers since 23/9/02, but has not actually been used by passenger trains since c. 14-16/5/93;  
completion is expected in December, 2016.

Transport Focus has no objection to the proposed disposal.

Regards,

.

Tel.

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## 22. Derby City Council

**From:** I <@derby.gov.uk>

**Sent:** 12 October 2016 14:21

**To:** @networkrail.co.uk

**Subject:** consultation : sinfin branch line

**Sensitivity:** Confidential

\*\*\* Before reading or acting on this e-mail, or opening any attachment, please read Derby City Council's disclaimer and confidentiality statement at the end of this e-mail \*\*\*

Afternoon

I have reviewed this proposal and the City of Derby Local Plan 2006 seeks to protect this land from development that would sever the route. Your disposal wouldn't necessarily do that and thus would appear compliant. The more recent City of Derby Core Strategy which is not yet adopted recognises the area as running through the Derby Aerospace campus and your proposed disposal would in turn support the enhancement of Rolls – Royce's existing facilities.

As such from a planning perspective I would offer no objections to the disposal.

## Land disposal consultation report

Regards

Derby City Council, The Council House,

Corporation Street, Derby, DE1 2FS | Telephone | Minicom |  
[www.derby.gov.uk](http://www.derby.gov.uk)

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### 23. East Midlands Trains

**From:** [@eastmidlandstrains.co.uk](mailto:@eastmidlandstrains.co.uk)

**To:** [@networkrail.co.uk](mailto:@networkrail.co.uk)

**Subject:** RE: Consultation on proposed land disposal: Sinfin Branch Line, Anglers Lane, Derby

**Date:** 08 November 2016 10:43:29

Hello

On behalf of East Midlands Trains Ltd 'No Comment'

Going forward can you please send the consultation document directly to me as well as xxxx.

Kind Regards

**T:** | **M:** | **W:** [eastmidlandstrains.co.uk](http://eastmidlandstrains.co.uk)

**A:** 1 Prospect Place, Millennium Way, Pride Park, Derby, DE24 8HG

## **Annex 2 – Network Rail’s Consultation email**

**From:** @networkrail.co.uk

**Sent:** 05 October 2016 10:00

**To:**

**Cc:**

**Subject:** Consultation on proposed land disposal: Sinfon Branch Line, Anglers Lane, Derby

Dear consultee,

Property: Sinfin Branch Line, Anglers Lane, Derby

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 and Road which, with the 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 the disposal, as required 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. It is therefore important that we have your views, so that these may be considered in ORR’s decision.

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.

We request your comments, please, by 2 November 2016 (including any “no comment” response). It would be helpful if your response is provided by email. Should no response be received by 2 November 2016, and having made reasonable endeavours to obtain a response, we will proceed with our application to ORR or General Consent form on the basis that there is no objection.

We will make reasonable endeavours to resolve any objections raised within two months of the consultation closing date. Should resolution not be achieved within this period, or should a response to our request for supporting justification or a meeting not be received within one month of the request, we will proceed with the application to ORR seeking consent should we still believe that it is appropriate to pursue the land disposal. In seeking that consent, we will describe what we have done to seek to resolve any concerns and why we believe that the land disposal should proceed. We will inform you when we proceed with the application to ORR.

If you have any queries as regards this proposal, please direct them to xxxx by email at [xxxx@networkrail.co.uk](mailto:xxxx@networkrail.co.uk) or by telephone on xxxx. 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,

Network Rail  
George Stephenson House, Toft Green  
York, YO1 6JT  
M  
E [@networkrail.co.uk](mailto:@networkrail.co.uk)  
[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)

## Annex B: Additional information supplied by Network Rail

