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15 April 2016

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

Network licence condition 7 (land disposal): Muirton Yard, Perth, Scotland

Decision

1. On 18 February 2016, Network Rail gave notice of its intention to dispose of land at Muirton Yard, Perth, Scotland (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 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. We note that:
 - there is no evidence that railway operations would be affected adversely;
 - the proposed disposal would facilitate the addition of sites at Huntly and Montrose to the Supplementary Strategic Freight Site list, thus ensuring their availability to any freight operator; and
 - the Perth freight loop is a project currently being considered for funding as recommended by the Freight Working Group¹.
4. Network Rail's consultation raised an objection from West Coast Railway Company Limited (WCRC). WCRC noted that there are no loops or refuges north of Perth station and as traffic flows increase (as expected by Network Rail's Scotland route study) that land would be needed to facilitate this. To address this Network Rail has provided freight loop options south of Perth station, (see Annex B) as Network Rail did not consider Muirton Yard (north of Perth Station) to be the best location for a loop facility. The company added that as the line splits at Perth station with separate lines going north to Aberdeen and Inverness, a loop facility there would not serve Aberdeen bound trains.

¹ As stated in Network Rail's Enhancements Delivery Plan (updated March 2016)
<http://www.networkrail.co.uk/WorkArea/DownloadAsset.aspx?id=30064799459>

5. WCRC is broadly supportive of these options, but as Network Rail does not own the land, WCRC is in discussions regarding this with the owner of the land, DB Schenker Rail (UK) Limited (now named DB Cargo Rail (UK) Limited).
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 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*,² 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.



Bill Hammill

Duly authorised by the Office of Rail and Road

² 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	<p>PERTH MUIRTON YARD (part of).</p> <p>Perth Muirton Yard (aka Perth Marshalling Yard) is owned by DB Schenker. Network Rail has a long lease of part of the yard. It is proposed that Network Rail surrenders its long leasehold interest.</p> <p>As part of a freehold split at privatisation ownership of Muirton Yard vested in Transrail Freight Ltd whose interest is now with DB Schenker. At the time of vesting a 125 year lease of part of the site was granted to Scotland Track Renewals company whose interest is now with Network Rail. Rent is £1 per annum and lease expiry date is 31 March 2119.</p> <p>The whole DB Schenker owned yard extends to approximately 14.814 ha (36.6 acres). The site is rail connected albeit only a single siding remains. The Network Rail leased area extends to approximately 1.63 ha (4.046 acres). Buildings on the site were demolished a few years ago due to trespass and vandalism.</p>
<p>Plans attached:</p> <p>(all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)</p>	<p>A plan is attached:</p> <ul style="list-style-type: none"> ● The Network Rail lease area (the disposal site) is shaded blue. ● The remainder of the DB Schenker owned yard is edged in red and shaded in grey. ● The operational railway line is shaded green.
Clearance Ref:	<p>Network Rail internal Clearance has been granted for the disposal of the site.</p> <p>Clearance ref:20386</p> <p>Business clearance was approved 25/9/2015 Technical clearance was approved 28/10/2015</p>
Project No.	S01224
Ordnance survey coordinates	310233, 725208
Photographs (as required)	N/A

2. Proposal	
Type of disposal (i.e. lease / freehold sale)	Surrender of leasehold interest.
Proposed party taking disposal	DB Schenker
Proposed use / scheme	DB Schenker proposes to sell the entire site for residential development purposes.
Access arrangements to / from the disposal land	No additional rights of access across Network Rail land need to be granted to DB Schenker as a consequence of this proposal.
Replacement rail facilities (if appropriate)	No replacement rail facilities will be provided.
Anticipated Rail benefits	<ul style="list-style-type: none"> • This disposal is linked to the proposed disposal of Inverurie Freight Yard to Aberdeenshire Council to which the ORR gave its consent on 24 February 2014. <p>It has been proposed that freight sites at Huntly and Montrose are designated as Supplementary Strategic Freight Sites in substitution for Inverurie.</p> <p>Both Huntly and Montrose are currently let to DB Schenker on long leases.</p> <p>DB Schenker has indicated a willingness to surrender its leasehold interests in both Huntly and Montrose in return for Network Rail surrendering its leasehold interest in Perth Muirton Yard.</p> <p>Hence the delivery of the rail benefits at Inverurie is reliant on the surrender of the Network Rail leasehold interest at Perth Muirton Yard.</p> <ul style="list-style-type: none"> • The Network Rail leasehold site at Perth Muirton Yard has been subject to trespass and vandalism to the extent that buildings had to be demolished for safety reasons. Surrendering the leasehold interest will relieve Network Rail of any further liability for the site.
Anticipated Non-rail benefits	Redevelopment of the site will regenerate a significant brown field site in the centre of Perth.

3. Timescales

Comments on timescales	It is proposed that the leasehold interest is surrendered by 31 June 2016.
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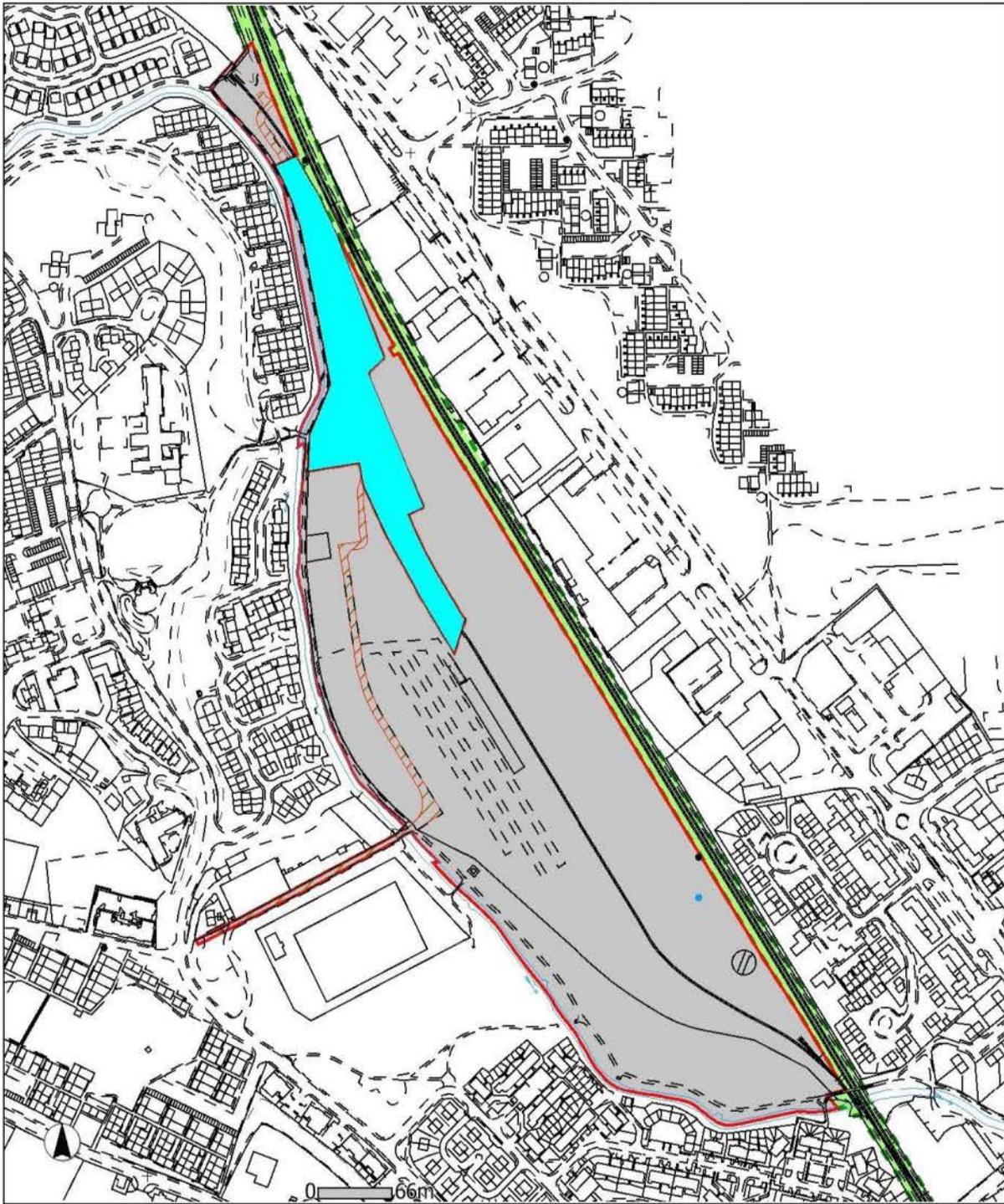
4. Railway Related Issues

History of railway related use	<p>Perth mechanised ‘hump’ marshalling yard was opened on 12 March 1962. It was one of five strategically located new yards opened in Scotland to replace a greater number of smaller yards of limited capacity.</p> <p>The yard was constructed to serve traffic to and from the Highlands. Branch line closures in the 1960’s caused a steady diminution of traffic that continued until the early 1990’s by which time the use of the yard for freight traffic had virtually ceased.</p> <p>Since the early 1970’s the use of the yard as a maintenance and repair centre had however increased. After 1990 the yard was almost entirely devoted to stabling, maintaining and repairing infrastructure wagons and on-track plant.</p> <p>Following privatization ownership of Muirton Yard vested in Transrail Freight Ltd. Transrail Freight was subsequently acquired by English Welsh and Scottish Railways whose interests were in turn acquired by DB Schenker in 2007. At privatisation a 125 year lease of part of the site was granted to Scotland Track Renewals company whose interest is now with Network Rail.</p> <p>After 2002 the yard was mostly moribund with EWS storing coal wagons. The repair facilities were used on an occasional basis. By 2008 the yard was closed.</p> <p>During 2008 and 2009 most of the buildings within the yard were demolished and track removed.</p>
When last used for railway related purposes	See above.
Any railway proposals affecting the site since that last relative use	None.
Impact on current railway related proposals	None.
Potential for future railway related use	The landlord (DB Schenker) is permitted to serve a “cessation notice” requiring the tenant to surrender the lease if at any time there has been no train movement for a period of eighteen months. There have been no regular train movements for some time thus DB Schenker could feasibly serve a cessation notice on Network Rail.

<p>Any closure or station change or network change related issues</p>	<p>Network Change was issued for formal consultation on 20/11/14 as part of a package of 30 abandonments identified during Network Optimisation workshops held in 2013. This was a cross-industry, Rail Delivery Group (RDG) led programme that reviewed all the Switches & Crossings on the network with a view to removing redundant infrastructure.</p> <p>Network Rail held a teleconference with West Coast Railway (WCR) on 16 January 2015, during which all 30 of the proposed abandonments were reviewed. WCR's objection to Perth Muirton Yard was as follows:</p> <p>"WCR is maintaining its objection to the removal of this crossover and yard connection as it would preclude any potential future use for Perth Muirton Yard, recognising that the yard is currently owned by DBS who wish to sell it for development".</p> <p>Network Rail spoke to WCR regarding this on 30 November 2015, and was advised that the WCR position had not changed and would not be resolved until WCR have agreement with DBS, over the other matters.</p> <p>The surrender will be conditional on Network Change being successfully concluded.</p>
<p>Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future</p>	<p>The disposal is not considered to affect any railway operator access needs.</p>
<p>Position as regards safety / operational issues on severance of land from railway</p>	<p>1. The disposal does not include and requirement for new fencing of the railway boundary, as the Yard is already fenced off.</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>5. Planning History and Land Contamination</p>	
<p>Planning permissions / Local Plan allocation (if applicable)</p>	<p>Internal clearance for the disposal has been granted.</p>

<p>Contamination / Environmental Issues (if applicable)</p>	<p>None. DB Schenker will take responsibility for dealing with any environmental issues associated with the future development of the site.</p>
<p>6. Consultations</p>	
<p>Railway (internal – Network Rail)</p>	<p>Internal clearance for the disposal has been granted.</p>
<p>Summary of position as regards external consultations</p>	<p>Thirty stakeholders were consulted with. Responses were received from twenty eight. Neither Grand Central Railway Company Ltd nor the Scottish Council for Development & Industry responded. Of the twenty eight that responded only one objection was received. Since some of the responses were received in November 2014 and some later on, in August 2015 Network Rail sought confirmation from consultees that their previous response could still be relied upon. Only one consultee (DB Schenker) has failed to respond to this request for reconfirmation. All other stakeholders responded that their previous response could be relied upon.</p> <p>The only objection received was from West Coast Railways who objected on the basis that there are no existing loops or refuges north of Perth station. WCR considers that as traffic flows increase such a facility will be essential. WCR considers that Network Rail should be endeavouring to reach an agreement with DB Schenker to exchange the land proposed for disposal for another area of land within Muirton Yard in order that such a loop facility can be created.</p>
<p>Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward</p>	<p>Network Rail is of the view that a Muirton Yard would not be the optimum location for such a loop facility. The line splits at Perth Station with separate lines going North to Aberdeen and Inverness. So a loop facility at Muirton Yard (which is North of Perth Station and on the Inverness line) would not be available to serve Aberdeen bound trains.</p> <p>Network Rail is looking at providing a loop facility on the down line south of Perth Station and the Freight Working Group approved funding for this facility at a meeting held on August 2015. There are no specific dates for delivery as yet but it will be within Network Rail's Control Period 5 which will be prior to March 2019.</p> <p>WCR has been advised that Network Rail does not consider Muirton Yard to be a suitable location for loop facility and that alternative facilities south of Perth Station were under consideration. WCR has advised that they are: "broadly supportive but it would be determinant on DBS finalising the various other points we had under discussion." Network Rail is not party to the ongoing discussion referred to by WCR. WCR is not prepared to withdraw their objection to the proposed disposal.</p>

7. Local Authorities			
Names & Email Addresses:	Perth & Kinross Council		
Local Transport Authorities:	TACTRAN @tactran.gov.uk		
Other Relevant Local Authorities:			
8. Internal Approval			
Recommendation:	Based on the above, I recommend / authorise 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.		
Surveyor Name:			
Approved by Property Development Manager	<table border="1"> <tr> <td>Name:</td> <td>Date Approved by PDM: 8th February 2016</td> </tr> </table>	Name:	Date Approved by PDM: 8 th February 2016
Name:	Date Approved by PDM: 8 th February 2016		



- Disposal Site
- DB Schenker owned land
- Network Rail retained land

PERTH - MUIRTON YARD	
Plot Scale	1:5000
Plot Date	10/2/2016
	

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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: **Perth Muirton Yard (Part of)**

Perth Muirton Yard (aka Perth Marshalling Yard) is owned by DB Schenker. Network Rail has a long lease of part of the yard. It is proposed that Network Rail surrenders its long leasehold interest.

The surrender of this leasehold interest is a disposal of an interest in land and is the subject of this consultation.

The whole DB Schenker owned yard extends to 14.814 ha (36.6 acres) or thereby. The site is rail connected albeit only a single siding remains. Network Rail has a 125 year lease (expiry date 31st March 2119) of part extending to 1.63 ha (4.046 acres) or thereby.

All buildings on the site were demolished a few years ago due to trespass and vandalism.

DB Schenker propose to sell the site for residential development and would like to include the part currently let Network Rail in the development.

The attached plan shows the extent of Muirton Yard edged in red. The part leased by DB Schenker to Network Rail is shaded blue.

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

Summary of position regarding responses:

The original industry stakeholder consultation was undertaken in 2013. A new consultation was commenced in November 2014 and it is that consultation that is reported on within this report.

29 stakeholders were consulted. Responses were received from 27. Neither Grand Central Railway Company Ltd nor the Scottish Council for Development & Industry responded. Of the 27 that responded only one objection was received. Since some of the responses were received in November 2014 and some later on, in August 2015 Network Rail sought confirmation from consultees that their previous response could still be relied upon. Only one consultee (DB Schenker) has failed to respond to this request for reconfirmation. All other stakeholders responded that their previous response could be relied upon.

The objection received was from West Coast Railways who objected on the basis that there are no existing loops or refuges north of Perth station. West Coast considers that as traffic flows increase such a facility will be essential. West Coast considers that Network Rail should be endeavouring to reach an agreement with DB Schenker to exchange the land proposed for disposal for another area of land within Muirton Yard in order that such a loop facility can be created.

Network Rail is of the view that Muirton Yard would not be the optimum location for such a loop facility. The line splits at Perth Station with separate lines going North to Aberdeen and Inverness. So a loop facility at Muirton Yard (which is North of Perth Station and on the Inverness line) would not be available to serve Aberdeen bound trains.

Network Rail is looking at providing a loop facility on the down line south of Perth Station and the Freight Working Group approved funding for this facility at a meeting held on August 2015. There are no specific dates for delivery as yet but it will be within Network Rail's Control Period 5 which will be prior to March 2019.

West Coast have been advised that Network Rail does not consider Muirton Yard to be a suitable location for loop facility and that alternative facilities south of Perth Station were under consideration. Unfortunately West Coast has not been prepared to withdraw their objection to the proposed 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	Transport Scotland	Y	28/11/14 4/9/15	"Transport Scotland are agreeable to the proposal". "Transport Scotland's response is still valid".	
2	TACTRAN	Y	17/11/14 18/9/15	"no comment" "Tactran's response of 17 th November 2014 remains valid and unchanged".	
3	Arriva Trains Cross Country	Y	5/11/14 14/12/15	"no objection" "I can confirm that our response from 5 th Nov 2014 is valid".	
4	C2c Rail Ltd	Y	3/11/14 26/8/15	" no objection " "I confirm that we have no objection to the proposed disposal"	
	C2c Rail Ltd	Y	27/11/14	"no objection" Also note xxxx response (4 above) dated 26/8/15	
5	Chiltern Railway Company Ltd	Y	4/11/14 26/8/15	" no comments " "I can confirm that my original comments still stand".	
6	Eurostar International Ltd	Y	3/11/14 26/8/15	"No issue for EIL" "No issue for EIL"	
7	First Great Western Ltd	Y	21/11/14 28/8/15	no objection "Still no objection thank you".	
8	First ScotRail Ltd	Y	11/2/15 9/9/15	ScotRail would not object to the disposal of this land. I can't imagine that anything has changed since last November.	
9	Grand Central Railway Company Ltd	N			Emails sent by NR seeking response: 10/2/15 3/8/15 31/8/15
10	London & South Eastern Railway Ltd	Y	4/11/14 26/8/15	"No comment" "Southeastern's response to this proposal remains unchanged"	

11	Merseyrail Electrics 2002 Limited	Y	3/11/14 26/8/2015	"no comments or objections" " "Our original response remains valid"	
12	Northern Rail Ltd	Y	4/11/14 1/9/15	"no objections" "our response is unchanged"	
13	COLAS Freight	Y	6/11/14 18/11/15	No comment "Still no comment"	
14	Direct Rail Services Ltd	Y	24/3/15	"no objection"	
15	DB Schenker	Y	10/2/14	"no objection"	
16	Freight Transport Association	Y	10/2/14 26/8/15	"no comment" "Yes, thanks".	
17	Freightliner Ltd	Y	11/11/14 26/8/15	"no comments" "I can confirm that my comments below still stand".	
18	GB Railfreight Ltd	Y	14/11/14 15/2/16	No issues from GB Railfreight. Still no issues	
19	Rail Freight Group	Y	4/11/14 26/8/15	"RFG ok with the disposal." "Ok with RFG"	
20	West Coast Railway Company	Y	10/2/15	" we have a problem with this disposal...a good result would be to negotiate a strip parallel to the main line, in order to provide future provision for a loop..." See full response in Annex 1 below	
21	W.H.Malcolm	Y	3/11/14 27/8/15	"no objections " "As I previously agreed to this transaction I confirm that position is unchanged".	
22	Association of Community Rail Partnerships	Y	25/11/14 28/8/15	"No Comment" "ACoRP still have 'no comment'"	
23	British Transport Police	Y	28/11/14 28/9/15	"There appears to be no obvious reason to oppose the regeneration of this site..." "No change to our initial response"	
24	High Speed Two (HS2) Ltd.	Y	16/2/15 27/8/15	"no comment" "Our previous response remains valid and unchanged".	
25	Passenger Focus	Y	3/11/14 26/8/15	"no objection" "Transport Focus confirms that the reply, below, sent on 3/11/14, ref. 0411c15, about the land at Muirton yard, Perth, still applies".	

26	Scottish Council for Development and Industry	N			Emails sent by NR seeking response: 10/2/15 3/8/15 31/8/15
27	Perth & Kinross Council	Y	6/8/15	"I can confirm we do not believe Muirton Yard has any future for railway uses".	
28	Alliance Rail	Y	4/11/14 26/8/15	Alliance has no comments Regards No change from Alliance	
29	Virgin Trains	Y	4/11/14 31/8/15	"No comment..." "Confirmed"	

Copies of responses are given in the annexes to this report, as indicated above.
A copy of the consultation request (before customisation for any individuals) is given in Annex 2.

Annex 1 - Consultee Responses

1) Transport Scotland

Response date: 4/9/2015

Transport Scotland's response is still valid.

Rail Strategy & Finance Team | Transport Scotland | 📞

Response date: 28/11/2014

Transport Scotland are agreeable to the proposal.

Thanks,
Rail Strategy & Finance Team
Transport Scotland
📞 0141

2) TACTRAN

Response date: 18/9/15

Sorry for delay in responding to you.

I can confirm that Tactran's response of 17th November 2014 remains valid and unchanged.

Regards,
TACTRAN
Bordeaux House, 31 Kinnoull Street, Perth, PH1 5EN
Tel: / Fax:
Mob:
E-mail: @tactran.gov.uk
Web: www.tactran.gov.uk

Response date: 17/11/14

Dear

Thank you for the opportunity to comment on proposed land disposal at Perth Muirton Yard.

I understand that Perth & Kinross Council have responded to you separately.
Just to confirm that Tactran has no comment.

Yours faithfully,
TACTRAN
Bordeaux House, 31 Kinnoull Street, Perth, PH1 5EN
Tel: / Fax:
Mob:

3) Arriva Trains Cross Country

Response date: 14/12/2015

I can confirm that our response from 5th Nov 2014 is valid.

Regards
CrossCountry

Response date: 5/11/2014

XC Trains has no objection to this proposal.

Regards
CrossCountry
Phone: Mobile: Fax:

4) C2c Rail Ltd

Response date: 3/11/14

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

Rgds

Response date: 26/8/15

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

Rgds

C2c Rail Ltd

Response date: 27/2/14

Dear

I confirm on behalf of National Express Essex Thameside (c2c Rail Ltd) that we have no objection to the proposed disposal.

Kind regards,

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

5) Chiltern Railway Company Ltd

Response date: 26/8/15

Hello

I can confirm that my original comments still stand.

All the best,

Response date: 4/11/14

Dear

There are no comments from Chiltern Railways.

All the best,

6) Eurostar International Ltd

Response date: 26/8/15

No issue for EIL,
Thanks

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW
T +44 (0)20
M +44 (0)

Response date: 3/11/14

No issue for EIL,

Many thanks

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW
T +44 (0)20
M +44 (0)

eurostar.com

7) First Great Western Ltd

Response date: 28/8/15

Hello

Still no objection thank you.

First Great Western

3rd Floor | Milford House | 1 Milford St | Swindon SN1 1HL
e: @firstgroup.com | m:

Response date: 21/11/2014

FGW has no objection thank you Edward,

8) First ScotRail Ltd

Response date: 9/9/15

I can't imagine that anything has changed since last November.

Abellio ScotRail
Atrium Court, 50 Waterloo Street, Glasgow G2 6HQ
Tel:

Response date: 11/2/15

ScotRail would not object to the disposal of this land.

First ScotRail
Atrium Court, 50 Waterloo Street, Glasgow G2 6HQ
Tel:

First ScotRail Limited Registered in Scotland No. 185018. Registered
office: 395 King Street, Aberdeen AB24 5RP.

9) Grand Central Railway Company

No response received.

10) London & South Eastern Railway Ltd

Response date: 26/8/2015

Hi

Please accept this email as confirmation the Southeastern's response to this proposal remains unchanged.

Kind Regards
Southeastern
Friars Bridge Court
41-45 Blackfriars Road
London
SE1 8PG

M:

Response date: 4/11/2014

Hi

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

Kind Regards
Southeastern
Friars Bridge Court
41-45 Blackfriars Road
London
SE1 8PG

M:

11) Mersey Rail Electrics 2002 Ltd

Response date: 3/11/2014

Our original response remains valid.

Regards

Response date: 3/11/2014

I can confirm Merseyrail have no comments or objections yo the above proposals.

Regards
Merseyrail

12) Northern Rail Ltd

Response date: 1/9/15

Hello

I can confirm that our response is unchanged and we have no objection to the land disposal.

Kind regards
Northern Rail Ltd
Northern House
York
YO1 6HZ

Response date: 4/11/14

Hello

Northern has no objections to the land disposal at Muirton Yard, Perth

Kind regards
Northern Rail Ltd
Northern House
York
YO1 6HZ

13) COLAS Freight

Response date: 18/11/2015

Apologies for delay in response: still no comment.

Regards

- Dacre House - Floor 2, 19 Dacre Street, London, SW1H 0DJ
- T • M • @colasrail.co.uk • www.colasrail.co.uk

Response date: 14/11/2014

No comment

14) Direct Rail Services Ltd

Response date: 24/3/15

Direct Rail Services have no objections to the proposed land disposal at Muirton, Perth.

Regards

15) DB Schenker

Response date: 10/11/14

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 Fax: Tel: Mobile

16) Freight Transport Association

Response date: 26/8/15

Yes, thanks.

Freight Transport Association

Mobile :

Response date: 10/2/15

Apologies we have no comment.

Freight Transport Association

Mobile :

17) Freightliner Ltd

Freightliner Response date: 26/8/2015

Thanks for the explanation. I'm happy with all of this

NR Response date: 26/8/2015

Thanks for the response.

Montrose and Huntly are not yet on the SSFS.

They are still let to DBS.

DBS will surrender their interest only when NR surrenders its interest in part of Perth Muirton (the subject of this consultation).

Once DBS have surrendered Huntly and Montrose they go on the SSFS.

Regards

Response date: 26/8/2015

Hi

I can confirm that my comments below still stand.

Are Montrose and Huntly on the SSFS list, as they're not shown on the SFS/SSFS sites plan on the NR website ?

Thanks

Caroline

Response date: 11/11/2014

Hi

Freightliner has no comments on the NR proposal to dispose of its leasehold interest in Perth.

This is subject to your confirmation that the sites at Montrose and Huntly have been surrendered by DBS and that they are both now on the supplemental SFS list.

Regards

18) GB Railfreight Ltd

Response date: 15/2/16

Still no issues from GB Railfreight.

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

Response date: 14/11/2014

No issues from GB Railfreight.

Regards,

GB Railfreight Ltd.,
Tel:
Mobile:
E-mail: @gbrailfreight.com.

19) Rail Freight Group

Response date: 26/8/15

Ok with RFG

Rail Freight Group

7 Bury Place
London
WC1A 2LA

Response date: 4/11/2014

thanks. RFG ok with the disposal, but to note comments below from our colleague in Scotland over the general position on local freight sites,

Thanks
Rail Freight Group
7 Bury Place
London
WC1A 2LA
Tel
Fax
Mobile
@rfg.org.uk

20) West Coast Railway Company

WCRC Response date: 14/12/15

Matters are still on-going, I'm afraid.

T
M
E @aol.com

NR Response date: 14/12/15

Following our correspondence below have you spoken to xxxx and are you yet in a position to confirm that you have no objection to the disposal?

Regards

WCRC Response date: 2/9/2015

I'd be broadly supportive but it would be determinant on DBS finalising the various other points we had under discussion. I would need to speak to xxxx.

T M E [@aol.com](mailto: @aol.com)

NR Response date: 2/9/2015

All of the options shown on the diagram could still come to fruition depending on longer term demand, however at this time only Option A - a loop of 640m is required south of Perth station which would permit traffic to run either to Inverness or Aberdeen. Option B is being developed as part of this work. The relocation of the washer road is currently part of the Perth Servicing and Stabling project, therefore would not be a consideration if Option C was progressed.

I take from your email that you are now supportive of this way forward to develop and deliver a freight loop on the down line enabling the flexibility that it will provide and hopefully this will allow you to withdraw your objection to the disposal of Network Rail's leasehold interest in part of Perth Muirton Yard.

Regards

WCRC Response date: 2/9/2015

Still in discussions with DBS; however, if what you are proposing is taken to its ultimate option, ie. options A, B and C, it would certainly seem a good solution to provide the capacity, on the Down, which I was advocating. I would assume C would entail removing the washer line.

T M E [@aol.com](mailto: @aol.com)

NR Response date: 31/8/2015

By way of an update I can advise that the proposed loop will now be located on the down side and not McPhersons. The McPhersons option conflicts with proposed Perth Stabling and Servicing facility. The minimum length of loop is to be 640m and this is shown on the attached drawing. The drawing also shows options to extend the loop, but currently we are developing option A to approval in principle. We will also carry out a desk top study on option B. Funding was approved at the Freight Working Group last week. Delivery will be within our Control Period 5 which will be by March 2019.

Regards

NR Response date: 31/8/2015

I wondered whether following your meeting with DBS (referred to in your email of 18th March below) you would still object to the disposal by Network Rail?

I will shortly be making an application to the Office of Rail and Road seeking consent for the disposal and would like to be able to report on progress in resolving your objection.

Regards

WCRC Response date: 18/3/2015

I'm afraid I'm still not convinced that this will not become a serious missed opportunity. However, xxxx and I are likely to be meeting with DBS, in the near future, and this is part of our discussions.

NR Response date: 23/2/2015

Thank you for your email of 23rd February. Further detail on work we are undertaking looking at opportunities south of Perth is set out below:

The CP5 Central Belt to Aberdeen programme of small/medium sized interventions is at GRIP 2 (desktop development). It includes the opportunity for a 775 metre loop at McPherson's sidings, just south of Perth (drawing attached). In order to maximise the utilisation of the new loop facility it is proposed to install a facing crossover from the down to the up main lines between the footbridge at Breadalbane Terrace and the Friarton Road overbridge further to the south. It would then serve the flows to/from Aberdeen and Inverness to the central belt.

I can also advise that as part of Highland Main Line Phase 2 enhancement project, we are revising the timetable development work to take into consideration the new ScotRail HST rolling stock that will be introduced from December 2018. As all passenger trains stop at Perth, the first crossing location is Dunkeld. We do not foresee the need to cross trains as far south as Perth Muirton Yard.

Please can you let me know whether on the basis of this information you can now withdraw your objection to the disposal of Network Rail's leasehold interest in part of Perth Muirton Yard.

Regards

WCRC Response date: 23/2/2015

Unfortunately, Neither Huntly nor Montrose currently represent much benefit to WCR; re-instatement of Arbroath Yd, on the other hand, might but I accept that is not strictly to do with this disposal!

I'm aware that proposals are being drawn up for Perth South but, as yet, have not seen any detail. I think we need to see more detail before I can formal withdraw our objection.

Best

NR Response date: 23/2/2015

Thank you for your response.

Network Rail has previously considered the suggestion that we try to obtain from DB Schenker a strip of their site in order to create a loop facility for the stabling of trains. We concluded that there would be little to no benefit in a loop being created approximately one mile north of Perth Station. A better solution would be for such a facility to be created south of Perth Station so that it is useable by trains travelling North to both Aberdeen and Inverness. Network rail is actively looking into how this can be provided and the best location.

DB Schenker has in any case confirmed that they will not agree to provide NR with such a strip of land. In return for the surrender of NR's leasehold interest in a part of the site they are prepared to surrender long leasehold interests in freight sites at both Huntly and Montrose. This will be of benefit to the railway since both sites will then be placed on the Supplementary Strategic Freight Site list and available for any freight operating company that requires them. We are therefore already extracting a railway benefit from the surrender of Network Rail's leasehold interest.

On this basis would you be prepared to reconsider your position?

Regards

WCRC Response date: 10/2/2015

As I think you are aware (and I have also discussed with xxxx), we have a problem with this disposal, as it represents a last chance to retain or trade for land, just to the north of Perth. As you will be aware, there are no loops or refuges north of Perth station, for some considerable distance, and, as traffic flows increase (certainly as predicted by the Route Study), such a facility will be essential.

I understand DBS want to dispose of the site *in toto* but feel a good result would be to negotiate a strip parallel to the main line, in order to provide future provision for a loop, otherwise this will be an opportunity missed.

Best

WCR

T M E [@aol.com](mailto:me@aol.com)

21) WH Malcolm

Response date: 27/8/15

As I previously agreed to this transaction I confirm that position is unchanged.

Please note that as a consequence of the approach now being pursued by Network Rail in respect of freight property leases on a non-discriminatory basis I would have requested further information before being able to give a response if this was a completely new consultation.

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>

Response date: 3/11/14

WH Malcolm has no objections to the proposal.

Email: @whm.co.uk

Tel: + 44 (0)

Mobile: + 44 (0)

22) Association of Community Rail Partnerships

Response date: 28/8/15

Hello

ACoRP still have 'no comment'

Regards

ACoRP

Response date: 25/11/14

Hi

I don't think I know enough about this disposal so I will have to give you 'No Comment' from ACoRP.

Regards

ACoRP

23) British Transport Police

Response date: 28/9/2015

No change to our initial response

British Transport Police

25 Camden Road

Camden

London NW1 9LN Tel:

Response date: 28/11/2014

Good Afternoon

The files supplied by Network Rai have been reviewed and Perth NPT officers have been contacted.

There appears to be no obvious reason to oppose the regeneration of this site. The yard is situated adjacent to the main Perth to Inverness railway line and is surrounded by residential housing. Providing the work is carried out by professional and reputable persons in a safe manner, there would appear to be little or no impact on the railway or policing.

Regards

British Transport Police, Scottish Divisional Headquarters,
90 Cowcaddens Road, Glasgow, G4 0LU
office
fax

24) High Speed Two (HS2) Ltd

Response date: 27/8/15

Dear

Our previous response remains valid and unchanged.

Regards,

Response date: 16/2/15

Dear

I don't recall being consulted on this matter previously but given the current status of the project HS2 Ltd has no comments to make on the proposed disposal.

Kind regards,

HS2 Ltd

Tel: | [@hs2.org.uk](https://www.hs2.org.uk) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

High Speed Two (HS2) Limited, 25th Floor, One Canada Square, Canary Wharf, London E 14 5AB | www.hs2.org.uk

25) Passenger Focus

Response date: 26/8/15

Transport Focus confirms that the reply, below, sent on 3/11/14, ref. 0411c15, about the land at Muirton yard, Perth, still applies.

Regards,

.

Tel.

Response date: 3/11/2014

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

it is a re-consultation of a proposal sent in July 2013, o/r 2907e14;

Network Rail has a long leasehold interest in just over four acres of the former marshalling yard in Perth;

NR will surrender its leasehold in exchange for DBS surrendering its leases of Huntly and Montrose freight yards;

those yards can then be designated as "supplementary strategic freight sites" in lieu of Inverurie (our ref. 1705g14);

no rail use is predicted for the land;

DBS intends to sell the yard for residential development;

the surrender of NR's interest should be complete by 31st. of March 2015.

Passenger Focus has no objection to the proposed disposal.

Regards,

Tel.

26) Scottish Council for Development and Industry

Response date:

No response received.

27) Perth & Kinross Council – Response date: 6/8/15

thanks for this. I can confirm we do not believe Muirton Yard has any future for railway uses.

Regards

Response date: 5/11/14

, thanks for the opportunity to comment on this. As a further update to the note xxxx sent you last year the site at Muirton is now in the adopted Local Development Plan as a housing proposal. We are a little bit unclear as to what the status of the various rail initiatives are in the Perth area as regards future stabling/maintenance and importantly the recent franchise decision which makes reference to upgrades at the station.

Appreciate any feedback you can give us

Regards

28) Alliance Rail

Response Date: 26/8/2015

No change from Alliance

Regards

Response: 4/11/14

Alliance has no comments

Regards

29) Virgin Trains

Response 31/8/15

Confirmed



1st Floor West, Meridian, 85 Smallbrook Queensway, Birmingham, B5 4HA
t: m: e: @virgintrains.co.uk

Response 4/11/14

No comment from Virgin Trains.

Kind regards
1st Floor West, Meridian, 85 Smallbrook Queensway, Birmingham,

Annex 2 – Network Rail's Consultation emails

26th August 2015

Dear consultee,

We consulted you in November 2014 on this, however, our application to ORR was delayed. As a consequence we now seek to reconsult you to ascertain whether we can rely on your previous representations or whether you have any additional comments to make. Please confirm that your response below remains valid and unchanged.

Regards

Network Rail
1st Floor, George House
36 North Hanover Street
Glasgow G1 2AD

M:

E: @networkrail.co.uk

3rd November 2014

From:

To:

Subject: Perth, Muirton Yard - Consultation on proposed land disposal

Date: 03 November 2014 15:34:28

Attachments: [image002.jpg](#)

[Perth-Land Disposal Evaluation Form Oct 2014.doc](#)

[Perth-Muirton Yard Plan for LC7 Consultation Oct 2014.pdf](#)

Dear consultee,

Property: Muirton Yard, Perth

We seek to consult you as regards your views, please, on our proposed disposal by way of the surrender of Network Rail's long leasehold interest in part of Muirton Yard, Perth.

We previously consulted with you on this matter in July 2013. The disposal did not take place at that time and as a consequence we are re-consulting.

We attach a draft application form to the Office of Rail Regulation which, with its related plans, 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 **1st December 2014** (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 or @networkrail.co.uk 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.

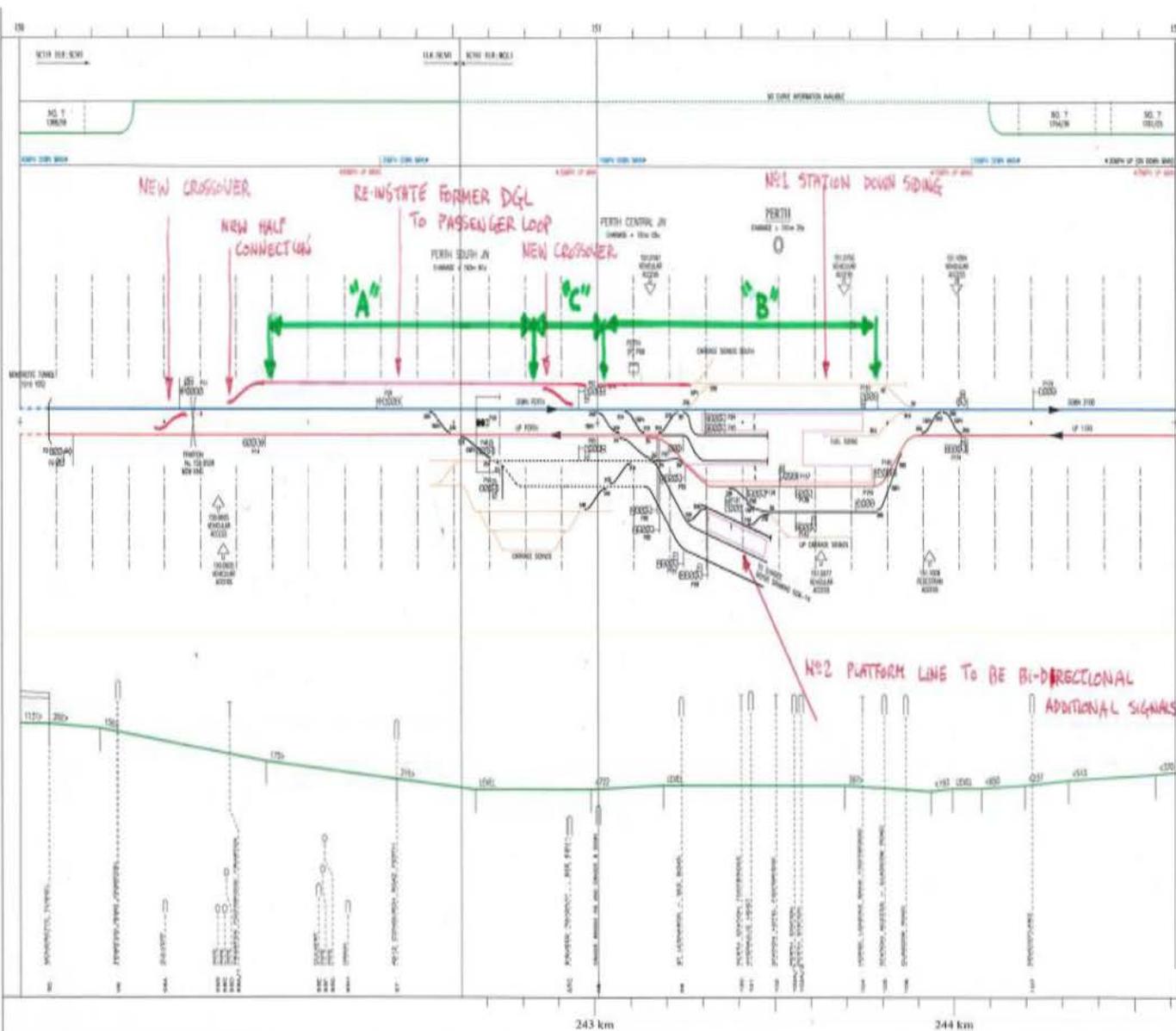
Yours faithfully,

Buchanan House
58 Port Dundas Road,
Glasgow, G4 0LQ

T:

M:

Perth Loop Options



COMMENTS (BI-DIRECTIONAL LOOPS)

- 1 - MODIFIED DIAGRAM SHOWS POSSIBLE FREIGHT LOOP SOLUTIONS ON THE DOWN SIDE AT PERTH.
- 2 - THESE RE-INSTATE LOOP FACILITIES THAT WERE IN EXISTENCE UNTIL THE EARLY 1990S.
- 3 - STANDAGES IN GREEN ARE CONSERVATIVE AND WILL REQUIRE MORE DETAILED DEVELOPMENT.
- 4 - THE DIMENSION "C" IS THE OVERLAP BASED ON ONLY ONE TRAIN MOVING INTO THE LOOPS AT A TIME. A SECOND TRAIN BEING AT A STAND.
- 5 - STANDAGE "A" = 730m
STANDAGE "B" = 750m
(TO BE INVESTIGATED FURTHER)
- 6 - BI-DIRECTIONAL SIGNALLING REQUIRED ON PLATFORM 2

<p>Pickfords Wharf Clink Street London SE1 8DG 1 531 7428 7488 1 533 7482 1942 e.p.s@pickfordswharf.com</p>	<p>NOTE: THE INFORMATION SHOWN ON THIS DRAWING WAS EXTRACTED FROM EXISTING NETWORK RAIL DOCUMENTS AND HAS NOT NECESSARILY BEEN VALIDATED BY ON-SITE INSPECTION BY THE CLIENT. ANY ERRORS OR OMISSIONS PLEASE ADVISE WATERMAN</p>	DATE	REVISION	SOURCE	DN	CHK	<p>Client Torbay Scotland Area Scotland East</p>	CIVIL ENGINEERING PLAN		
		22-05-08	LOCO HOLDING BEINGS MARKED AS OLD (L) (270)	NR SCOT W09 07	MAC	NR		<p>TITLE PERTH</p>	PROJECT No.	36922021
		16-08-09	PERTH CENTRAL JUNCTION NAME ADDED (254)	NR SCOT W09 25	MAC	NR			DIAGRAM No.	HGL-01
		07-06-11	TRACK DETAILS & LINE SPEEDS AMENDED (409)	NR SCOT W09 10	MAC	NR			ROUTE	SC119/SC193 ELR SCMMH01
							MILEAGE	150 MILE 21 TO 152 MILE		
							VALIDATED/DRAWN	30-05-07		