

Les Waters

Manager, Licensing
Railway Markets and Economics
E-mail les.waters@orr.gsi.gov.uk
Telephone 020 7282 2106



9 May 2018

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

Network licence condition 7 (land disposal): Pall Mall, Liverpool**Decision**

1. On 29 March 2018, Network Rail gave notice of its intention to dispose of land at Pall Mall, Liverpool (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) and in the additional plan 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.
4. In considering the proposed disposal we note that:
 - there is no evidence that current or future railway operations would be affected adversely; and
 - no other reasonably foreseeable railway use for the land was identified.
5. Network Rail's submission referred to the former Waterloo line which passed under Pall Mall and through Plot 4. We note Network Rail's confirmation that the potential future railway use of the subsurface corridor will not be jeopardised by the development of the land. We also note Network Rail's further statement to us, confirming that its engineering approval takes into account all relevant Group Standards and ensures that passive provision is not compromised.
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*,¹ and balanced our section 4 duties given to us under the Railways Act 1993. In doing so we have given particular weight to our duty to exercise our functions in a manner which we consider best calculated to “protect the interests of users of railway services”.

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

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

Proposed Property Disposal

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

1. Site	
Site location and description	<p>The site (disposal property) is situated off Pall Mall / Love Lane approximately 1km north west of Liverpool City Centre and is detailed by blue shading on the "Site Plan" attached to this application as four separate plots which together extend to approximately 1.3 Hectares (3.2 Acres).</p> <p>Plot 1 comprises railway arches occupied by a series of light industrial businesses beneath a disused viaduct and adjoining land. It is the northernmost of the four plots and is bounded to the north by Whitley Street, to the east by Love Lane, to the south by Spranger Street and to the west by the live railway viaduct.</p> <p>Plot 2 comprises railway arches occupied by businesses including a gym and a commercial garage beneath a disused viaduct and adjoining land. It is situated immediately south of Plot 1 and is bounded to the north by Spranger Street, to the east by Love Lane, to the south by Little Howard Street and to the west by the live railway viaduct.</p> <p>Plot 3 comprises commercially let asphalt surface car parking. It is situated immediately south of Plot 2 and is bounded to the north by Little Howard Street, to the east by Love Lane, to the south by Chadwick Street and to the west by the live railway viaduct.</p> <p>Plot 4 also comprises commercially let asphalt surface car parking. It is the southernmost of the four plots and is bounded to the north and south by third party land, to the east by Pall Mall and to the west by the live railway viaduct.</p> <p>Network Rail's retained freehold interest is shown coloured green on the plan.</p>
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	<p>The following plans are attached at Appendix 1.</p> <ol style="list-style-type: none"> 1. Location Plan 2. Site Plan (Plan Number 5911239)
Clearance Ref:	<p>Business Clearance CR/28229 dated 23 March 2016 (Certificate number : 36794)</p> <p>Technical Clearance CR/28229 dated 14 April 2016 (Certificate number : 36961)</p>

Project No.	149693
Ordnance survey coordinates	Easting (X): 333933 Northing (Y): 391387 Map reference: SJ 33933 91387 Post Code: L3 7DB
Details of attached photographs (as required)	The following photos are available in attached Appendix 2; <ul style="list-style-type: none"> • Aerial Photograph with reference to city centre landmarks • View down Love Lane towards the city centre and adjacent to Plots 1 & 2 • Plot 3 (car park) in foreground, Plots 1 & 2 (arches) further down Love Lane • Plot 4 (behind wall and in front of arches)
2. Proposal	
Type of disposal	Sale of freehold, or long leasehold interest. It should be noted that sale of air rights only will be permitted over the tunnel corridor that passes through Plot 4 to facilitate future rafting over the former track bed alignment. Further detail included in Section 4 below.
Proposed party taking disposal	To be confirmed. There may be a single purchaser of the whole, or up to four individual plot purchasers. The development opportunity is being market by external property agents JLL.
Proposed use / scheme	Network Rail's land interests are considered to have potential for residential development following demolition of the remaining onsite structures. Indicative scheme proposals, prepared on behalf of Network Rail by architects BDP, suggest that each of the four plots of land could accommodate a medium rise residential apartment building. The development would also accommodate ancillary car parking and possibly some commercial uses at street level. Depending upon developer interest, the scheme may be designed to appeal to the Private Rented Sector (PRS) or private sale markets. PRS would require the provision of additional ancillary accommodation / services for the benefit of the occupants. Other uses may be considered subject to support by Liverpool City Council Planning department and such other uses would also need to be compatible with the adjacent operational railway and infrastructure. Indicative scheme proposals are illustrated at Appendix 3.
Access arrangements to /	Pedestrian and vehicular access is available directly to all four plots from

from the disposal land	<p>Pall Mall and Love Lane.</p> <p>No access over Network Rail retained infrastructure will be granted or implied.</p>
Replacement rail facilities (if appropriate)	Not applicable as no rail facilities will be lost by the proposed disposal.
Anticipated rail benefits	<p>There will be no direct rail benefits created by the disposal.</p> <p>Network Rail will however lose the maintenance responsibility associated with the two sections of viaduct that remain on Plots 1 & 2. The transfer arrangements for Plots 1 & 2 will require the demolition of the structures prior to legal completion to ensure that Network Rail's liabilities for the structures are extinguished.</p> <p>Benefits may also result from increased rail passenger journeys as a consequence of the construction activity and growth in the local population.</p>
Anticipated non-rail benefits	<p>The regeneration will bring about benefits to the local environment, community and economy.</p> <p>Temporary construction jobs will be created during scheme implementation. These will be followed by permanent jobs associated with the management of the completed scheme and within its commercial elements.</p> <p>The main benefits will be the provision of new housing stock in this area of the city centre.</p> <p>Environmental improvements will also result from the regeneration. The two sections of disused viaduct will be replaced by architecturally designed buildings incorporating elements of hard and soft landscaping. Such improvements will benefit the local neighbourhood and also the city centre which is in very close proximity.</p>

3. Timescales

Comments on timescales	<p>This will depend upon developer appetite and how quickly planning permission can be secured prior to transfer of the land interests. The developer/s will also be required to demolish the structures on Plots 1 & 2 before completion of the formal land transfers for these two areas and it may be that the timing of the plot sales are phased. The overall aim is however to achieve legal completion of the land disposal/s by 2019/20.</p>
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4. Railway Related Issues

History of railway related use	<p>The subject property interests formally supported the branch line leading into the former Liverpool Exchange station. Liverpool Exchange closed in 1977 and was subsequently demolished including certain sections of the railway viaduct leading to it.</p> <p>The adjacent operational viaduct carries Merseyrail services connecting the city centre's subsurface railway system with Southport.</p>
When last used for railway related purposes	Circa. 1977
Any railway proposals affecting the site since that last relative use	Not aware of any such proposals. The disposal property (including the two sections of disused viaduct) is physically separated from the operational viaduct.
Impact on current railway related proposals	<p>There are no known impacts on current railway related proposals. As noted above, the disposal property (including the two sections of disused viaduct) is physically separated from the operational viaduct.</p> <p>The development / construction works will be designed and managed to ensure there are no adverse impacts on the adjacent operational railway line. The developer will be required to enter into the appropriate Asset Protection agreement with Network Rail.</p> <p>A 5 metre maintenance strip, to be kept clear of buildings and structures, will be maintained at the foot of the retained operational railway viaduct and arches to ensure access for inspection and works.</p>
Potential for future railway related use	<p>Both the Northern and Merseyside RUS have been reviewed and neither has revealed any specific strategic plans that require use of the disposal property.</p> <p>The Merseyside RUS does however mention that <i>"there is a possibility in the longer term of using other infrastructure, including the disused Wapping and Waterloo tunnels, to provide new journey Opportunities"</i>.</p> <p>The redundant subsurface Waterloo Line historically passed under Pall Mall and through Plot 4. Whilst enquires have not identified a defined scheme that would require the re-opening of the tunnel, development of this parcel of land is to provide for passive provision to protect the tunnel alignment in case it is required in the future. The sale of air rights only will be permitted over this corridor to facilitate future rafting over of the former track bed alignment which is endorsed by relevant Network Rail route colleagues.</p>
Any closure or station change or network change related issues	No. The property is remote from any station and there are no physical track connections to the operational railway line.

<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 will not affect any train operator access need being remote from the nearest railway station and with there being no physical rail infrastructure connectivity.</p> <p>A 5 metre maintenance strip will be kept clear of buildings and structures at the foot of the retained operational railway viaduct and arches to ensure access for inspection and any works to the retained operational infrastructure. This access requirement will be formally recorded in the land transfer arrangements to ensure future availability.</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 of the boundary because it is situated at the foot of Network Rail's retained operational viaduct structure. As such there is not a risk of trespass on to the operational railway.</p> <p>The disposal is on a basis under which Network Rail has had due regard (where applicable) to impact of the disposal on lineside works, including railway troughing, signalling and their maintenance. The disposal is without prejudice to Network Rail's safety obligations, with which Network Rail will continue to comply. Network Rail's network licence requires compliance with Railway Group Standards. These set out requirements for – amongst other things – fencing, access and signal sighting. In addition, the Railways and Other Guided Transport Systems (Safety) Regulations 2006 require Network Rail to have a safety management system and safety authorisation in respect of its mainline railway system and its railway infrastructure. These, in turn, require Network Rail to comply with Railway Group Standards as well as its own internal standards; and also continually to monitor changes to the risks arising from its operations and to introduce new control measures as appropriate.</p>

5. Planning History and Land Contamination

<p>Planning permissions / Local Plan allocation (if applicable)</p>	<p>The property falls within an area which is currently designated for employment use within the Liverpool Unitary Development Plan.</p> <p>Network Rail has however had formal pre-app discussions with Liverpool City Council which confirms in principle support to the proposed form of development subject to justification of the loss of employment land. Some employment opportunities will be provided for in the context of the proposed development which will assist in mitigating the loss.</p> <p>The developer/s will be responsible for securing planning consent and providing the justification sought of Liverpool City Council prior to the transfer of the property interests.</p>
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Contamination / Environmental Issues (if applicable)	<p>No specific issues known relevant to this application, however given the historic railway use of the property there will be a need for intrusive site investigation works to identify remediation measures that will need to be put in place.</p> <p>The following technical reports have so far been obtained to help inform potential developers;</p> <p>Flood and Drainage Constraints Phase 1 desktop Geo-Environmental Survey Noise and Vibration Assessment Topographical Study Utilities Constraints Technical Note</p> <p>Developers will be responsible for obtaining such further reports and site investigation work required prior to scheme implementation.</p>
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6. Local Authorities

Names & Email Addresses:	Liverpool City Council – @liverpool.gov.uk Tel:
Local Transport Authorities:	Merseytravel – @merseytravel.gov.uk Tel:
Other Relevant Local Authorities:	None

7. Internal approval to consult

Recommendation:	Based on the above, I recommend that Network Rail consults on the terms of 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: Development Surveyor	
Signed	Date 4 th December 2017	

Authorised by (name):	Authoriser's job title: Principal Development Manager
Signed	Date 15 th December 2017

8. Consultations

Internal consultation	<p>Internal clearance has been secured for the disposal of the property as referred to in Section 1 above. The principal clearance requirements relate to the reservation of access rights for maintenance, consultation with Network Rail's Asset Protection engineer prior to development of the site and protection of the corridor of the former Waterloo Line.</p> <p>As previously noted, the redundant subsurface Waterloo Line historically passed under Pall Mall and through Plot 4. Whilst enquires have not identified a defined scheme that would require the re-opening of the tunnel, development of this parcel of land is to provide for passive provision to protect the tunnel alignment in case it is required in the future. The sale of air rights only will be permitted over this corridor to facilitate future rafting over of the former track bed alignment which is endorsed by relevant Network Rail route colleagues.</p> <p>The proposed disposal does not conflict with any strategic plans contained within either the Northern or Merseyside RUS.</p>
Summary of position as regards external consultations	<p>There were no objections or material comments raised that have resulted in the need for amendments to the original information presented in this consultation request.</p> <p>However noting the responses from Merseytravel and Transport for the North with regards to the tunnels, amplification has been added to Part 2 of this form relating to the 'Type of Disposal' to reconfirm that only air rights above the tunnel alignment through Plot 4 is being disposed of to ensure appropriate passive provision should the tunnel ever be reopened in the future.</p> <p>Whilst Liverpool City Council has not responded we don't believe this raises any issues. The Council will have the opportunity to address any wider concerns through the town planning consent process.</p>

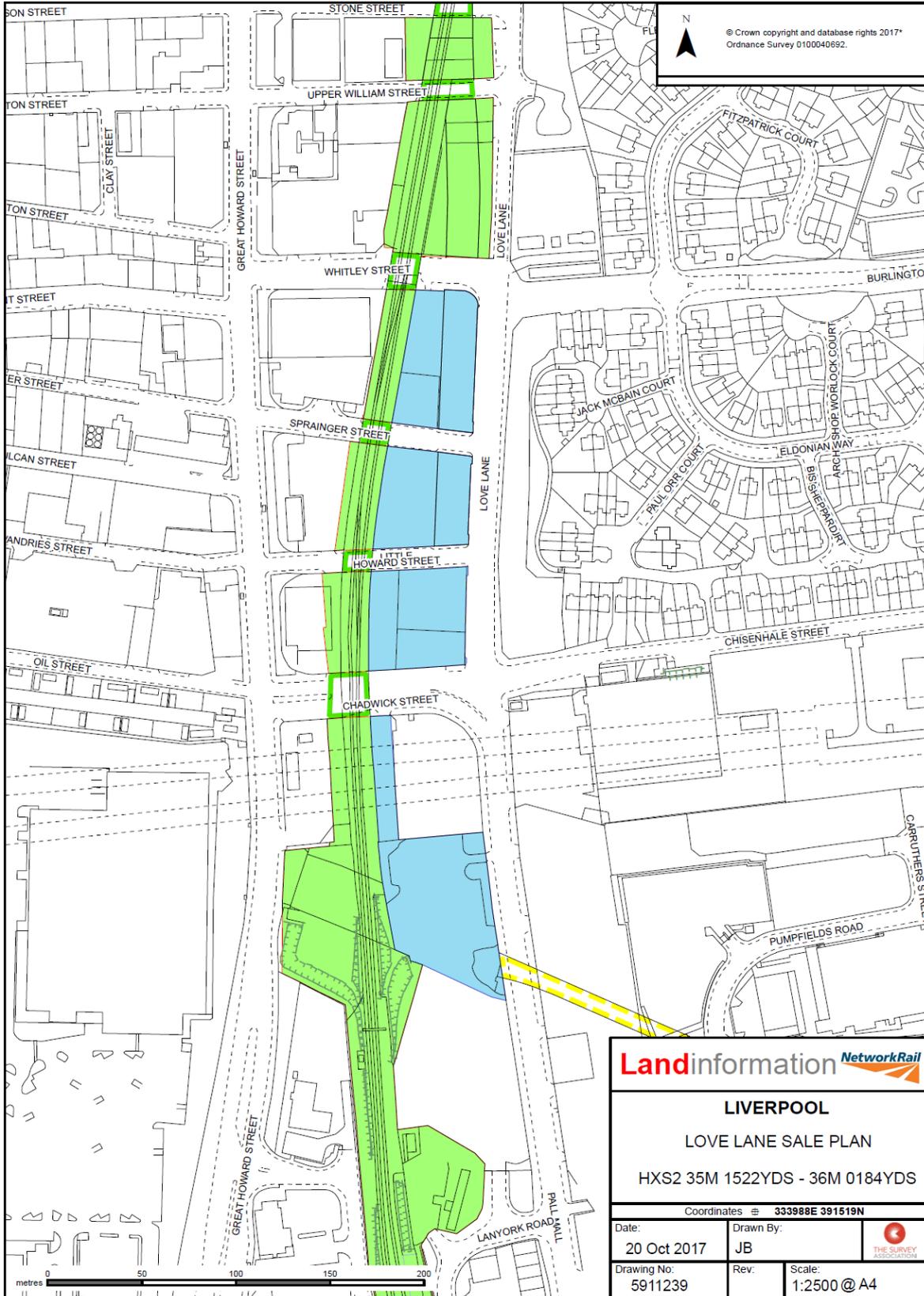
<p>Analysis of any Network Rail resolved objections together with recommendation by Network Rail as regards a way forward</p>	<p>There were no objections requiring resolution or recommendations.</p>
<p>9. Internal approval to dispose</p>	
<p>Recommendation:</p>	<p>Based on the above, I recommend that Network Rail proceeds with the disposal</p>
<p>Declaration:</p>	<p>I have read and understood Network Rail's code of Business Ethics and Policy on Interests in Transactions</p>
<p>Proposer's name:</p>	<p>Proposer's job title: Development Surveyor</p>
<p>Signed</p>	<p>Date 08th March 2018</p>
<p>Authorised by (name):</p>	<p>Authoriser's job title: Principal Development Manager</p>
<p>Signed</p>	<p>Date 09th March 2018</p>

APPENDIX 1 – PLANS

LOCATION PLAN

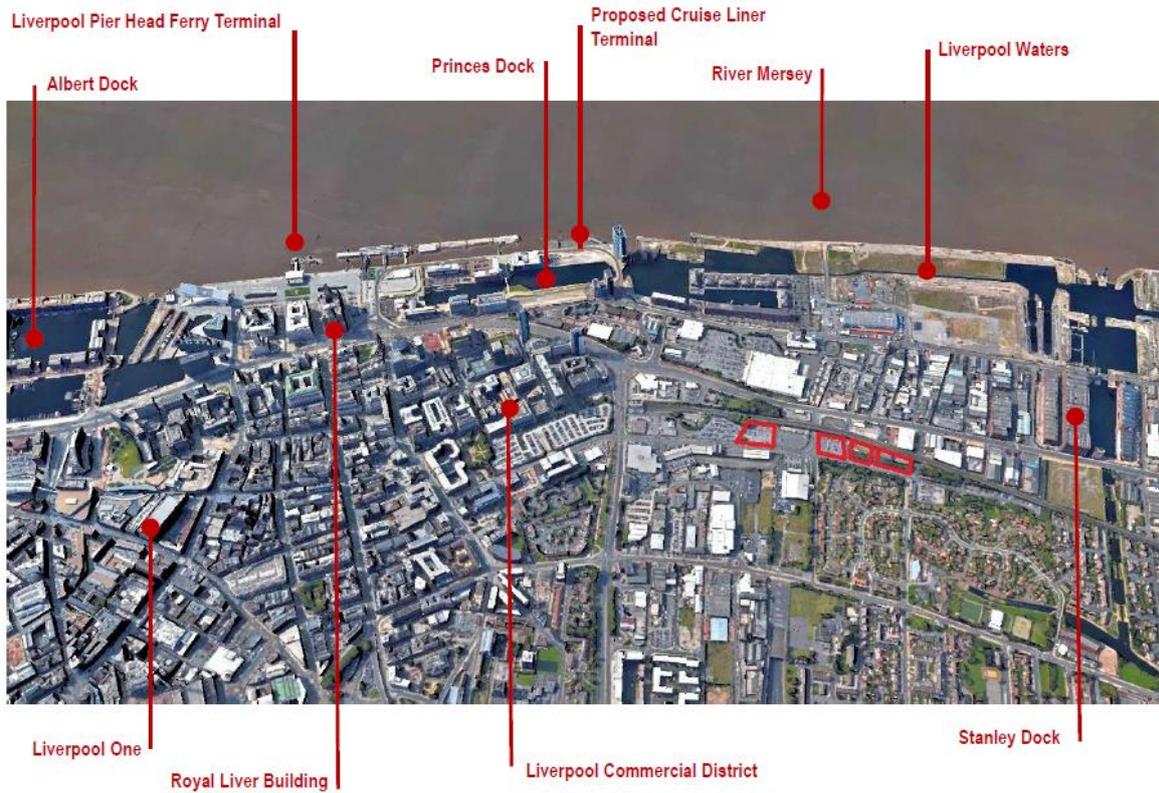


SITE PLAN (5911239)



APPENDIX 2 – PHOTOGRAPHS

AERIAL PHOTOGRAPH WITH REFERENCE TO CITY CENTRE LANDMARKS



VIEW DOWN LOVE LANE TOWARDS THE CITY CENTRE AND ADJACENT TO PLOTS 1 & 2



PLOT 3 (CAR PARK) IN FOREGROUND, PLOTS 1 & 2 (ARCHES) FURTHER UP LOVE LANE



PLOT 4 (CAR PARK BEHIND WALL AND IN FRONT OF ARCHES)



APPENDIX 3 – INDICITIVE SCHEME PROPOSALS



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: **Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB**

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

Summary of position regarding responses: There were no objections or material comments raised that have resulted in the need for any amendments or customisation of the original information presented in the consultation request attached as Annex 2.

CONSULTATION REPORT

V 1.1

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	c2c Rail		Y	09/01/2018	No Objection See Annex 1	
2	Chiltern Railway Company		Y	23/01/2018	No Comment See Annex 1	
3	Eurostar UK		Y	09/01/2018	No Comment See Annex 1	
4	First/Keolis Transpennine (t/a TransPennine Express)		Y	25/01/2018	No Comment See Annex 1	
5	Great Western Railway		Y	09/01/2018	No Objection See Annex 1	
6	Grand Central / Grand		Y	30/01/2018	No Comment	

CONSULTATION REPORT

V 1.1

	Union				See Annex 1	
7	London and South Eastern Railway		Y	10/01/2018	No Comment See Annex 1	
8	Merseyrail Electrics 2002		Y	09/01/2018	See Comments in Annex 1	
9	Northern Rail		Y	06/02/2018	No Objection See Annex 1	
10	XC Trains Limited (t/a CrossCountry)		Y	09/01/2018	No Comment See Annex 1	
11	Alliance Rail Holdings		Y	09/01/2018	No Comment See Annex 1	
12	Direct Rail Services Limited (DRS)		Y	19/01/2018	No Comments See Annex 1	
13	West Coast Railway Company		Y	23/01/2018	No Comments See Annex 1	
14	COLAS Rail		Y	18/01/2018	No Comment See Annex 1	
15	DB Cargo UK Ltd (Formerly EWS)		Y	07/02/2018	No Comments See Annex 1	
16	Freight Transport Association		Y	23/01/2018	No Comment	

CONSULTATION REPORT

V 1.1

					See Annex 1	
17	Freightliner Limited		Y	09/01/2018	No Comment See Annex 1	
18	GB Railfreight Limited		Y	09/01/2018	No Issues See Annex 1	
19	Rail Freight Group		Y	09/01/2018	Ok with RFG See Annex 1	
20	W. H. Malcolm		Y	09/01/2018	No Objection See Annex 1	
21	West Coast Railway Company		Y	30/01/2018	No Comment See Annex 1	
22	Association of Community Rail Partnerships		Y	23/01/2018	No Comment See Annex 1	
23	British Transport Police		Y	23/01/2018	No Objection See Annex 1	
24	Transport Focus (Rail Passenger Council)		Y	11/01/2018	No Objection See Annex 1	
25	DfT		Y	06/02/2018	No Comment but see Annex 1	
26	Transport for North		Y	05/01/2018	See Comments in Annex 1	

CONSULTATION REPORT**V 1.1**

27	Liverpool City Council		N	N/A	No response or comments received despite endeavours made	Emails sent on 9 th January 2018, 23 rd January 2018, 30 th January 2018 and 5 th February 2018.
28	Merseytravel		Y	31/01/2018	See Comments in Annex 1	

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

Copies of the full consultee responses are given in Annex 1.

A copy of the consultation request is given in Annex 2

Annex 1

1 c2c Rail

From: @c2craill.net

Sent: 09 January 2018 14:37

To:

Subject: Re: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

No objection from c2c on this proposal.

Regards

Property and Projects Manager

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

The logo for c2c, consisting of the letters 'c2c' in a bold, pink, sans-serif font.

W: www.c2c-online.co.uk

2 Chiltern Railway Company

From: @chilternrailways.co.uk

Sent: 23 January 2018 15:38

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Chiltern have no comment to the proposal.

Regulatory Contracts Manager
Chiltern Railways

Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ
@chilternrailways.co.uk

www.chilternrailways.co.uk

Chilternrailways
by arriva



Please consider the environment before printing this email

3 Eurostar UK

From: @eurostar.com

Sent: 09 January 2018 14:47

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3
7DB - Closing Date 6th February 2018

No comment from EIL,
Thanks

PA to Chairman and to Company Secretary

Eurostar International Limited

Times House | Bravingtons Walk | London N1 9AW

eurostar.com

4 First/Keolis Transpennine (t/a TransPennine Express)

From: @FirstGroup.com

Sent: 25 January 2018 14:40

To:

Cc: @swrailway.com

Subject: RE: FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Please see our response below.

Kind regards

Interim Head of Commercial Projects
South Western Railway

A: South Western Railway, Floor 6, Friars Bridge Court, 41 - 45 Blackfriars Road,
LONDON SE1 8NZ

T: E: @firstgroup.com

W: Southwesternrailway.com

From: @swrailway.com

Sent: 25 January 2018 14:37

To: XXXX FirstGroup.com

Subject: Re: FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Mike,

With reference to the above proposed Land Disposal, on behalf of First MTR South Western Trains Ltd 'No Comment'

Senior Procurement Manager
South Western Railway

Address: Friars Bridge Court, 41-45 Blackfriars Road, London SE1 8NZ
Telephone: Email: [@swrailway.com](mailto:)
Mobile:
www.southwesternrailway.com

From: [@FirstGroup.com](mailto:)
To: [@networkrail.co.uk](mailto:)
Cc: [@firstgroup.com](mailto:), [@swrailway.com](mailto:)
Date: 23/01/2018 20:03
Subject: FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Thank you. I have copied in XXXXX who is now the point of contact for SWR.

Kind regards

Interim Head of Commercial Projects
South Western Railway

A: South Western Railway, Floor 6, Friars Bridge Court, 41 - 45 Blackfriars Road,
LONDON SE1 8NZ

T: E: [@firstgroup.com](mailto:)

W: Southwesternrailway.com

5 Great Western Railway**From:** @gwr.com**Sent:** 09 January 2018 15:15**To:****Subject:** RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Good afternoon

We have no objection thank you.

Network Access Manager | Great Western Railway

1 Milford Street | Swindon | SN1 1HL

@GWR.com

First Greater Western Limited | Registered in England and Wales number 05113733

Registered office: Milford House, 1 Milford Street, Swindon SN1 1HL.

6 Grand Central / Grand Union**From:** @grandcentralrail.com**Sent:** 30 January 2018 11:43**To:****Subject:** RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Dear

Apologies for the delay in responding. GC has no comment to make on this proposal.

Regards

M: | **T:** | **E:** @grandcentralrail.com

Grand Central Railway Company Limited, 3rd Floor, Northern House, Rougier Street, York, YO1 6HZ

W: grandcentralrail.com | **Twitter:** [@gc_rail](https://twitter.com/gc_rail) | **Facebook:** facebook.com/grandcentralrail

7 London and South Eastern Railway

From: @southeasternrailway.co.uk

Sent: 10 January 2018 10:24

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Good Morning

Thank you for the opportunity to review the below.

Southeastern has no comment on this proposal.

Kind Regards

[Access Contracts Business Partner](#)

southeasternrailway.co.uk

southeastern

[Friars Bridge Court](#)

[41-45 Blackfriars Road](#)

[London, SE1 8NZ](#)

8 Merseyrail Electrics 2002

From:
Sent: 11 January 2018 13:57
To: @merseyrail.org
Cc:
Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Many thanks for your reply.

To confirm that the development proposals will not impact the operation of the railway as confirmed in Section 4 of the consultation, summary below;

*“...The development / construction works will be designed and managed to ensure there are no adverse impacts on the adjacent operational railway line. The developer will be required to enter into the appropriate Asset Protection agreement with Network Rail.
A 5 metre maintenance strip, to be kept clear of buildings and structures, will be maintained at the foot of the retained operational railway viaduct and arches to ensure access for inspection and works.”*

Regards,

Development Manager | Network Rail Property
M

From: @merseyrail.org
Sent: 09 January 2018 15:33
To:
Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi,

We have no objections as long as there is no impact on the operational railway.

Thanks

**Legal & Contract Assistant
Merseyrail**

Email @merseyrail.org

Web www.merseyrail.org

9 Northern Rail

From: @northernrailway.co.uk

Sent: 06 February 2018 11:09

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Northern have no objections to the below land disposal.

Thanks,

10 XC Trains Limited (t/a CrossCountry)

From: @crosscountrytrains.co.uk

Sent: 09 January 2018 16:40

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

XXXX

XC Trains Ltd has no comment on this proposed disposal.

Regards

Station Contracts Manager CrossCountry

Phone: Mobile: Fax:

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

11 Alliance Rail Holdings

From: @Alliancemail.co.uk

Sent: 09 January 2018 16:57

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Alliance has no comments.

Regards

12 Direct Rail Services Limited (DRS)

From: @drsl.co.uk

Sent: 19 January 2018 09:35

To:

Cc:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Good Morning

DRS have no comments.

Best Regards,

Procurement Apprentice

Direct Rail Services Ltd

Regents Court
Baron Way
Carlisle
CA6 4SJ
Tel:

13 West Coast Railway Company

From: @aol.com

Sent: 23 January 2018 15:44

To:

Subject: Re: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

no comments
WCR

T
M
E @aol.com

14 COLAS Rail**From:** @colasrail.co.uk**Sent:** 18 January 2018 09:36**To:****Subject:** RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

No comment on proposed disposals



Property & Estate Manager

Tel. Mob.

@colasrail.co.uk

COLAS RAIL LTD

, West Goods Yard, Dundonald Road, Wimbledon, London, SW19 3QJ, United Kingdom

www.colasrail.co.uk**15 DB Cargo UK Ltd (Formerly EWS)****From:** @deutschebahn.com **On Behalf Of** DBCargoConsultations@deutschebahn.com**Sent:** 07 February 2018 13:28**To:****Subject:** Re: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

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

Yours,

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

From December 2016 my e-mail address will be [@deutschebahn.com](mailto:deutschebahn.com) and all previous addresses will cease to function.

16 Freight Transport Association

From: @fta.co.uk

Sent: 23 January 2018 16:53

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

FTA has no comment.

Sent from my Windows 10 phone

17 Freightliner Limited

From: @Freightliner.co.uk

Sent: 09 January 2018 15:19

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Freightliner has no comment to make on this proposal
Regards

18 GB Railfreight Limited

From: @gbrailfreight.com

Sent: 09 January 2018 17:39

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3
7DB - Closing Date 6th February 2018

No issues from GB Railfreight.

Regards,

National Access Manager,
GB Railfreight Ltd.,
3rd Floor,
55 Old Broad Street,
London, EC2M 1RX.
Tel:
Mobile:
E-mail: @gbrailfreight.com.

GB Railfreight Ltd. Registered in England & Wales No. 03707899.
Registered Office: 3rd Floor, 55 Old Broad Street, London, EC2M 1RX.

19 Rail Freight Group

From: @rfg.org.uk

Sent: 09 January 2018 16:28

To:

Subject: RE: [SPAM]Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Ok with RFG

Executive Director

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

20 W. H. Malcolm

From: @whm.co.uk

Sent: 09 January 2018 14:39

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

No objections.

Regards

Contracts, Rail & Estate Management | W H Malcolm Ltd

Malcolm Group, Brookfield House, 2 Burnbrae Drive, Linwood, Renfrewshire PA3 3BU

DD: | **Mobile:**

Email: @whm.co.uk | **Web:** www.malcolmgroup.co.uk | [Malcolm Group on LinkedIn](#)

21 West Coast Railway Company

From: @aol.com

Sent: 30 January 2018 11:38

To:

Subject: Re: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

no comments
WCR

T
M
E @aol.com

22 Association of Community Rail Partnerships

From: @acorp.uk.com

Sent: 23 January 2018 11:46

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

No comment

Senior Operations Manager

**Mobile****Web:** acorp.uk.com

The Old Water Tower, Huddersfield Railway Station, St Georges Square, Huddersfield HD1 1JF

23 British Transport Police**From:** btp.pnn.police.uk**Sent:** 23 January 2018 16:04**To:****Cc:** @btp.pnn.police.uk; Crime-Reduction**Subject:** RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

There are no objections to this land disposal.

Thanks

Designing Out Crime Officer

Crime Reduction Unit

British Transport Police, Rail House, Lord Nelson Street, Liverpool L1 1JF

office

internal

email @btp.pnn.police.ukwww.btp.police.uk**From: On Behalf Of** SDD Business Support**Sent:** 09 January 2018 15:27**To:****Subject:** FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hello,

Please see the attached document re Land of Pall/Love lane Liverpool. Please note closing date is 6th February 2018.

Regards

Senior Personal Assistant to Mike Furness
Head of Strategy & Performance Department
British Transport Police;
FHQ, 25 Camden Road, London, NW1 9LN
Telephone:
Extn:
Email: XXXXX@btp.pnn.police.uk
www.btp.police.uk

24 Transport Focus (Rail Passenger Council)

From: @transportfocus.org.uk

Sent: 11 January 2018 09:47

To:

Subject: Re: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018 0901a18

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

it concerns four plots of land between the railway and Love Lane, south of Sandhills station; they lie to the east of the railway, south from Whitley Street; the northernmost pair contain sections of disused railway viaduct, which will be demolished by the developer;

the land is to be sold freehold, or on a long lease;
they are being marketed by external agents, and a likely use will be residential;
a five-metre strip will be retained at the base of the operational viaduct, for maintenance access;
passive provision will be made to protect the disused Waterloo Tunnel, which might be re-opened;
completion is not expected until 2019/20.

Transport Focus has no objection to the proposed disposal.

Regards,

xxxxxx

Tel.

25 DfT

From:

Sent: 07 February 2018 12:09

To: @dft.gsi.gov.uk

Cc:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Thank you for your reply and note that the DfT do not wish to make any comments.

In terms of the question on freight, the site has been cleared for sale through NR's internal clearance process and no internal freight interest was expressed during this process. Additionally, no external freight companies have expressed any interest in the site through the Land Disposal Pre-application Consultation process. It's also worth noting that such use is unlikely to be acceptable to Liverpool City Council having regard to the number residential schemes that are coming forward in the immediate locality and the proximity of the site to the City Centre.

Regards,

Development Manager | Network Rail Property
M

From: @dft.gsi.gov.uk

Sent: 06 February 2018 17:57

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Dear

Thank you for your email.

With reference to the Land Disposal Consultation issued by Network Rail on 09th January 2017 in relation to the proposed disposal of land of Pall Mall / Love Lane, Liverpool, L3 7DB, the Department for Transport (Network Services) wishes to make no comments.

Given the location of this land disposal, I was wondering if Network Rail's FNPO team have been consulted? XXX, Head of Development leads on freight growth so he would be in a good place to advise regarding any future freight usage @networkrail.co.uk

Kind regards,

XXXX Planning and Investment Manager, Network Services North - Rail Group, Department for Transport
3/23

26 Transport for North

From: @railnorth.org

Sent: 06 February 2018 10:33

To:

Cc: Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Thanks

Head of Investment Planning,
Rail North

From:

Sent: 06 February 2018 09:11

To: @railnorth.org

Cc:

Subject: FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Many thanks for your comments on this consultation to which I have added further clarification below *(and as per my response to the points made by Mersytravel)*.

Regards,

Development Manager | Network Rail Property
M

From: @railnorth.org

Sent: 02 February 2018 15:45

To:

Cc:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Thank you for the opportunity to comment on this proposal.

Rail North would like to support the points made by Mersytravel, viz

1. As the development sites abut the operational railway there needs to be adequate protection for the Merseyrail network and the operation of the railway. **Agreed, the development / construction works will be designed and managed to ensure there are no adverse impacts on the adjacent operational railway line and the developer will be required to enter into the appropriate Asset Protection agreement with Network Rail.**
2. One of the plots is directly above the former Waterloo Railway Tunnel which remains with Network Rail. We have sought to protect this alignment as far as the Northern Line and as such suitable protection for the underlying tunnel should be included in any land sale. **Agreed, development of this parcel of land (Plot 4) is to provide for passive provision to protect the tunnel alignment in case it is required in the future. The sale of air rights only will be permitted over this corridor to facilitate future rafting over the former track bed alignment which is endorsed by relevant Network Rail route colleagues.**
3. One of the plots of land lies directly above the Mersey Tunnels Kingsway Tunnel and consequently we would wish to see suitable protection for this key piece of transport infrastructure in any Network Rail Land Sale Documentation. **Agreed, this is the blue strip of land adjacent to the arches between Plots 3 & 4. The tunnel lying under the surface of this area of land will be excluded from any sale/lease. The documentation will be subject to the rights & reservations of the tunnel easement to ensure protection of the tunnel infrastructure.**

Head of Investment Planning,
Rail North

From: @railnorth.org
Sent: 02 February 2018 15:45
To:
Cc:
Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Thank you for the opportunity to comment on this proposal.

Rail North would like to support the points made by Mersytravel, viz

1. As the development sites abut the operational railway there needs to be adequate protection for the Merseyrail network and the operation of the railway.
2. One of the plots is directly above the former Waterloo Railway Tunnel which remains with Network Rail. We have sought to protect this alignment as far as the Northern Line and as such suitable protection for the underlying tunnel should be included in any land sale.
3. One of the plots of land lies directly above the Mersey Tunnels Kingsway Tunnel and consequently we would wish to see suitable protection for this key piece of transport infrastructure in any Network Rail Land Sale Documentation.

Head of Investment Planning,
Rail North

27 Liverpool City Council

NO RESPONSE

28 Merseytravel**From:****Sent:** 01 February 2018 10:33**To:** @merseytravel.gov.uk**Cc:****Subject:** FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

Many thanks for your comments on this consultation to which I have added further clarification below.

Regards,

Development Manager | Network Rail Property

M

From: @merseytravel.gov.uk**Sent:** 31 January 2018 10:38**To:****Subject:** RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Thank you for the opportunity to comment on this proposal.

I would like to make a number of points, none of which should cause you any difficulty.

1. The development sites abut the operational railway there needs to be adequate protection for the Merseyrail network and the operation of the railway. **Agreed, the development / construction works will be designed and managed to ensure there are no adverse impacts on the adjacent operational railway line and the developer will be required to enter into the appropriate Asset Protection agreement with Network Rail.**
2. One of the plots is directly above the former Waterloo Railway Tunnel which remains with Network Rail. We have sought to protect this alignment as far as the Northern Line and as such suitable protection for the underlying tunnel should be included in any land sale. **Agreed, development of this parcel of land**

(Plot 4) is to provide for passive provision to protect the tunnel alignment in case it is required in the future. The sale of air rights only will be permitted over this corridor to facilitate future rafting over the former track bed alignment which is endorsed by relevant Network Rail route colleagues.

3. One of the plots of land lies directly above the Mersey Tunnels Kingsway Tunnel and consequently we would wish to see suitable protection for this key piece of transport infrastructure in any Network Rail Land Sale Documentation. Agreed, this is the blue strip of land adjacent to the arches between Plots 3 & 4. The tunnel lying under the surface of this area of land will be excluded from any sale/lease. The documentation will be subject to the rights & reservations of the tunnel easement to ensure protection of the tunnel infrastructure.

If you have any questions please contact me.



Rail Development Manager | Merseytravel | Mann Island, PO Box 1976, Liverpool, L69 3HN
Office: Email: @merseytravel.gov.uk

From:

Sent: 31 January 2018 12:30

To:

Subject: FW: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Hi

See below comments from David.

Regards

From: @merseytravel.gov.uk

Sent: 31 January 2018 10:38

To:

Subject: RE: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Thank you for the opportunity to comment on this proposal.

I would like to make a number of points, none of which should cause you any difficulty.

4. The development sites abut the operational railway there needs to be adequate protection for the Merseyrail network and the operation of the railway.
5. One of the plots is directly above the former Waterloo Railway Tunnel which remains with Network Rail. We have sought to protect this alignment as far as the Northern Line and as such suitable protection for the underlying tunnel should be included in any land sale.
6. One of the plots of land lies directly above the Mersey Tunnels Kingsway Tunnel and consequently we would wish to see suitable protection for this key piece of transport infrastructure in any Network Rail Land Sale Documentation.

If you have any questions please contact me.



Rail Development Manager | Merseytravel | Mann Island, PO Box 1976, Liverpool, L69 3HN
Office: Email: @merseytravel.gov.uk

Annex 2 - Consultation Request Form attached

From: Sent: 09 January 2018 14:36

To: @c2crail.net; @chilternrailways.co.uk; @eurostar.com; @firstgroup.com; @gwr.com; EXTL; @grandcentralrail.com; @southeasternrailway.co.uk; @merseyrail.org; @northernrail.org; @crosscountrytrains.co.uk; @alliancerail.co.uk; @aol.com; @colasrail.co.uk; @drsl.co.uk; XXXXX@drsl.co.uk; @deutschebahn.com; @fta.co.uk; @Freightliner.co.uk; EXTL; @rfg.org.uk; @acorp.uk.com; @btp.pnn.police.uk; @Transportfocus.org.uk; @dft.gsi.gov.uk; @whm.co.uk; @railnorth.org; @merseytravel.gov.uk; @merseytravel.gov.uk; @liverpool.gov.uk

Cc:

Subject: Land Disposal Consultation Report - Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB - Closing Date 6th February 2018

Dear Consultee,

Property: Liverpool: Land off Pall Mall / Love Lane, Liverpool, L3 7DB

We seek to consult you as regards your views, please, on our proposed disposal by way of a freehold or long leasehold 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 **6th February 2018** (including any "no comment" response). It would be helpful if your response is provided by email. Should no response be received by **6th February 2018**, 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, tel:, email: @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,



Technical Support Assistant, Property
Square One, 1st Floor
4 Travis Street, Manchester M1 2NY

T

E @networkrail.co.uk

www.networkrail.co.uk/property

Liverpool Love Lane / Pall Mall – Plot Identification Plan

