

Mr Les Waters
Manager, Licensing and Network Regulation
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Dear Sir

ORRs regulation of land disposals by Network Rail

Sewta (South East Wales Transport Alliance) welcomes the opportunity to respond to the consultation on land disposals by Network Rail.

Sewta is a consortium of 10 local authorities; the councils of Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taf, Torfaen and Vale of Glamorgan. Sewta works with stakeholders, including the likes of Network Rail and train operating companies, other partners and Welsh Government to improve regional transport in South-East Wales. Sewta represents the regional transport interest of 1.4 million people and is the largest of the four transport consortia in Wales.

In the main, the changes appear to be relatively minor. We note that the main new clause is clause (q), and our response will refer to that along with clauses (1g) and (1o).

We note that Clause (1g ii) contains the wording 'which would provide benefit of rail passengers'. However, if Network Rail is selling off land on a closed or freight only route there may be no benefit for rail passengers. Therefore, in those circumstances, they could sell land without recourse to ORR that would have a foreseeable public transport use. As such, we would ask for the removal of the wording above so that it encompasses all public transport use.

Clause (1o) allows them to sell any land on a closed railway route. Again, we would ask for a clause to be inserted preventing unrestricted sale in cases where there is a foreseeable public transport use.

The new clause (1q) also includes the statement 'which would provide benefit for rail passengers'. Similar to our comments concerning clause (1g) we would ask that the clause encompasses all public transport use.

The above issues then raise the question of what is a 'foreseeable public transport use'. We would suggest that in Wales this could be defined as including being referred to in adopted Local Development Plans or Regional Transport Plans, as well as any rail industry forward planning documents. Perhaps such a level of detail would be inappropriate for inclusion in the general consent document (though the definitions in section 3 would be a possibility). We would suggest that the Office of Rail Regulation should include such a definition in any supplementary guidance you may issue to NR.

Our final comment relates to the list of consultees. Although we received the consultation paper, we are not listed as a formal consultee and would ask that be put on the list of consultees for future consultations.

We trust you find our response useful, and have no objection in our response being made public.

Yours sincerely



Mark Youngman
Sewta Rail Working Group