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



30 January 2019

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

Network licence condition 7 (land disposal): land adjoining Leeman Yard and off Water End, York.

Decision

1. On 6 December 2018, Network Rail gave notice of its intention to dispose of land adjoining Leeman Yard and off Water End, York (the land), in accordance with paragraph 7.2 of condition 7 of its network licence. The land and disposal is described in more detail in the notice (copy attached) and the additional plan provided by Network Rail at Annex B.

2. We have considered the information supplied by Network Rail including the responses received from third parties 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 the notice.

Reasons for decision

3. We are satisfied that Network Rail has consulted relevant stakeholders with current information and that no objections were received.

- 4. In considering the proposed disposal, we note that:
 - there is no evidence that railway operations would be affected adversely;
 - the land proposed for disposal is additional to land in the vicinity that has already gained ORR consent for disposal, on 11 November 2016; and
 - the disposal would facilitate the construction of a road to improve access to both the proposed York Central development – part of the City of York Council's wider regeneration developments – and the National Railway Museum.

5. We also note that Network Rail is consulting on, but has yet to complete, the Network Change procedure¹ for its proposals to realign its two network sidings affected by the disposal and the realignment of the connection point for National Railway Museum's



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¹ Required under Part G of the Network Code.



sidings. Network Rail must complete the Network Change procedure before the disposal of the land. It has provided a diagram that illustrates these proposals at Annex B.

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 concluded that the proposed disposal is not against the interests of users of railway services and that our consent to the proposed disposal of the land should be granted.

Les Waters Duly authorised by the Office of Rail and Road

² Available from <u>www.rail-reg.gov.uk/server/show/nav.150</u>

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	York: land adjoining Leeman Yard and off Water End.
description	Site is approximately 1.3km to the north and west of York Station and comprises two parcels of land either side of the East Coast Main Line (ECML) at ECM5 0m 1609 yds.
	The section north of the ECML is mostly a level area of overgrown land of former allotments. There is also a section of land used by Network Rail for a GSMR Telecomms mast and a Road Rail Vehicle access point and these will be relocated by Network Rail. The section south of the ECML is level and contains the initial section of various sidings in the Leeman Yard area comprising two Network sidings, sidings serving Freightliner's Wagon Repair Depot, a siding serving the National Railway Museum (NRM) and sidings into Network Rail's Leeman Yard engineering area.
	The site is at the west edge of a 42-acre site that Network Rail received LC7 disposal consent for in November 2016.
Plans attached: (all site plans should be in	Plan No. 6334745 showing the proposed disposal site by blue colour. Network Rail's retained land is shown by green colour.
JPEG format, numbered and should clearly show the sites location approximate to the railway)	The blue hatch and green coloured parcel is a proposed bridge span over the ECML which will be subject to the grant of an easement.
	The land cross-hatched blue and coloured green is land that received LC7 disposal consent from the ORR on 11/11/16 and is not subject to this consultation.
Clearance Ref:	CR/35978 (19/05/18), CR/33174 (31/08/17), CR/32673 (14/07/17), CR35973 (19/05/18) and CR/37071 (10/08/18). The number of clearances for different plots reflects the evolution of the design of the road and bridge which will be constructed on the proposed disposal site.
Project No.	152867
Ordnance survey coordinates	458671 E, 452038 N

Details of attached photographs (as required)	N/A
2. Proposal	
Type of disposal	Freehold sale of land coloured blue and airspace easement for land hatched blue.
Proposed party taking disposal	City of York Council who are the Highway Authority for the proposed road to be constructed on the disposal site
Proposed use / scheme	New Public Highway
Access arrangements to / from the disposal land	Access for construction will be from adjoining land. The disposal land will be a new highway.
Replacement rail facilities (if appropriate)	 The following will be relocated to other positions on Network Rail retained land: 1. Network Rail GSMR mast – location under review. 2. Existing track access point – agreed location. 3. The two Network sidings affected by the disposal – agreed location subject to Network Change. 4. The private siding giving rail access to the NRM's South Yard – agreed location.
Anticipated rail benefits	The disposal and construction of the road is all part of the proposed York Central development that will improve access to the west side of York Station. The new road will also provide unrestricted highway access to the National Railway Museum for the first time (current access is height limited) thereby improving road accessibility for movement of rail exhibits to the site.
Anticipated non-rail benefits	The proposed York Central development will provide up to 2500 homes on brownfield land thereby contributing to the supply of housing from public sector land and meeting need in the locality. The development will also provide land for economic growth of the city by provision of infrastructure to the site thereby enabling development of offices and workspaces creating new employment anticipated to be up to 6500 jobs.
3. Timescales	
Comments on timescales	Assuming consent is granted it is anticipated that the disposal will complete before the end of 2019.

4. Railway Related Issues	
History of railway related use	The plot south of the ECML has always been in use as part of the sidings in the locality.
	The plot north of the ECML has been in use for non-rail related uses such as allotments (now vacant and overgrown) but has more recently been in use as a lineside access track by Network Rail, location of a GSMR mast and a Track Access Point for Road Rail Vehicles.
When last used for railway related purposes	Both plots are still in use for railway related purposes. The active uses will be relocated as referred to in this report.
	The engineering/stabling use on the sidings on the land serving Leeman Yard are being relocated to Skelton Yard to the north as the Leeman Yard sidings have been closed by a Network Change (NC/G1/2015/LNE/057A).
	The Freightliner use of the sidings to the Wagon Repair Depot is on private sidings and this use is coming to an end as the Wagon Repair Depot will be closing as it is due to be demolished.
Any railway proposals affecting the site since that last relative use	N/A

Impact on current railway related proposals	 Harrogate Line improvements – Harrogate 2 trains per hour proposals are dependent on implementation of a York North Yorkshire & East Riding LEP funded project to the Harrogate Line improvements on infrastructure west of Skelton Jn. and DfT funded ECML improvements which are currently within NR's Enhancement Delivery Plan. The improvements to the Harrogate line services are not dependent on use of land within the proposed disposal site.
	 York Yard South train stabling – the proposed disposal does not affect the boundaries of York Yard South so this land is still available for future stabling if this is required.
	3. NRM rail access to South Yard – this is being relocated and the new private siding alignment will run beneath the proposed new bridge over the ECML with the siding within the corridor or retained NR land beneath this span.
	4. The proposed disposal does not prevent the provision of 2 additional lines north of York running parallel to the existing ECM formation and adjoining the York Central development site as the corridor of land for this is protected within NR ownership and the proposed bridge span is based on 4 lines. This decision is based on work done by NR's System Operator in the ECML Route Study that safeguards the formation north of York to ensure the possibility of a third line between York Station and Skelton Junction is not prejudiced by any land disposals. The proposed bridge allows for a fourth line to give flexibility in this area for additional connections to the NRM or new stabling that may be provided.
Potential for future railway related use	The known rail capacity schemes are accommodated on land retained by Network Rail in York.
Any closure or station change or network change related issues	No Station Change. A Network Change will be circulated to obtain consent for relocation of the two Network sidings located on part of the proposed disposal site. Network Change for removal of the other Network sidings on the disposal site was established on 10/06/16 (NC/G1/2015/LNE/057A)
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	Any rail related access needs will be accommodated on retained land and rail infrastructure by agreement with operators.

Position as regards safety / operational issues on severance of land from railway	The disposal includes arrangements under which Network Rail will install new boundary fencing along the railway boundary. 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.
5. Planning History and La	and Contamination
Planning permissions / Local Plan allocation (if applicable)	The site is allocated within the area covered by policy ST5 for York Central in the emerging City of York Council Local Plan as a mixed- use development site capable of accommodating up to 1500 houses and up to 80,000 sq.m. of office led commercial space (use Class B1a). An outline planning consent including the route of the proposed road across the disposal site was submitted to City of York Council on 10/08/18 as part of the application for the York Central development. A detailed application for the road is expected to be
	submitted in autumn 2018. All necessary geotechnical and contamination site surveys will be
Contamination / Environmental Issues (if applicable)	undertaken before commencement of any on site works. Any required remediation will be undertaken by the highways contractor accordingly.

6. Local Authorities	
Names & Email Addresses:	
Local Transport Authorities:	Head of Transport, City of York Council West Yorkshire Combined Authority XXXX
Other Relevant Local Authorities:	North Yorkshire County Council XXXX Policy Support Officer – Rail
7. Internal approval to con	sult
Recommendation:	 By proceeding to consult I am: recommending that Network Rail consults on the terms of disposal confirming that I have read and understood Network Rail's Code of Business Ethics and policy on Interests in Transactions confirming that I have secured internal written approval to consult in accordance with Network Rail's policy on Authorising Application Forms.
8. Consultations	
Internal consultation	The site has internal clearance within Network Rail. The boundaries of the plots have been confirmed as acceptable with Network Rail's System Operators to ensure no conflict with capacity schemes and projects identified in the ECML Route Study.

Summary of position as regards external	Summary of position regarding responses: 33 stakeholders consulted and 30 replies.
consultations	The non-replies are from Alliance Rail Holdings, Chiltern Rail and Freight Transport Association. Given the nature and location of the site and the Consultees involved it is considered that the lack of response is not considered to be material.
	The majority of responses were either No Objection or No Comment. West Coast Railway Co (Consultee 25), Northern Rail (Consultee 14), TPE (Consultee 15), BTP (Consultee 28), RFG (Consultee 24), Freightliner (Consultee 22), DfT (Consultee 1), National Railway Museum (Consultee 33), North Yorkshire CC (Consultee 31), WYPTE (Consultee 2) and City of York Council (Consultee 32) raised some comments that are considered to have no material effect on the disposal and Network Rail responses to the comments are recorded in the Consultation Report.
	Northern, TPE, North Yorkshire CC, City of York Council and WYPTE commented on assurances that the proposed disposal does not affect capacity schemes (particularly for the Harrogate line) planned in York. It is believed that the contents of the application and responses to these stakeholders show that the disposal is not prejudicial to such schemes.
	WYPTE and North Yorkshire CC asked for a text amendment regarding one of the funders referred to in Section 4 Rail Related Projects and this change has been made.
	DfT and TPE made comments, which Network Rail notes, about protecting future rail use of land not within the application – York Yard South – but did not object to the proposed disposal.
	RFG had no objection provided Freightliner had no objection and confirmation of this was provided to RFG. Freightliner asked to be able to continue to use land not in the proposed disposal site if the whole York Central redevelopment scheme failed to proceed.
	BTP sought assurances that the new bridge had suitable protective measures to prevent trespass and were advised this would be part of the design.
	West Coast Railway Co had no objection provided the disposal only occurred if the York Central development proceeded. They were advised that Network Rail would only transfer the land if the highway scheme is proceeding as the sole reason for the highway is to create the new access into the York Central site.
	National Railway Museum had no objection to the proposed disposal provided their rail access from South Yard to the National Rail Network is maintained, which it is.
	In Network Rail's opinion, there does not appear to be anything in the responses that should prevent consent to the disposal being granted.

Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	None			
9. Internal approval to disp	oose			
Recommendation:	Based on the abov the disposal	e, I recommend that Network Rail proceeds with		
		derstood Network Rail's code of Business Ethics ests in Transactions		
Proposer's name:		Proposer's job title: Development Surveyor		
Signed		Date 05/11/18		
Authorised by (name):		Authoriser's job title:		
		Principal Development Manager		
Signed				
		Date 5 th November 2018		



Request a Service @ <u>http://connect/delivery/CommercialProperty/Land-information.aspx</u>

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: York – Land adjoining Leeman Yard and Off Water End

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

Summary of position regarding responses: 33 stakeholders consulted and 30 replies.

The non-replies are from Alliance Rail Holdings, Chiltern Rail and Freight Transport Association. Given the nature and location of the site and the Consultees involved it is considered that the lack of response is not considered to be material.

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National Railway Museum had no objection to the proposed disposal provided their rail access from South Yard to the National Rail Network is maintained, which it is.

In Network Rail's opinion, there does not appear to be anything in the responses that should prevent consent to the disposal being granted.

The full list of external consultees is set out below:

No.	External party (name)	Contact name, e telephone	mail address	and	Whether response received (y/n)	Date of response	Details of response (e.g. "no comment"), with reference to any accompanying copy representation in annexes to this report	Comments (e.g. as regards endeavours to obtain response where none given)
1	Department for Transport				Y	25/09/2018	No Objection but See Comments in Annex 1	
2	West Yorkshire Passenger transport Executive (Metro)				Y	05/10/2018	No Objection but see comments in Annex 1	
3	Transport for North				Y	14/10/2018	No Objection See Annex 1	
4	Arriva Trains Cross Country				Y	10/10/2018	No Comment See Annex 1	
5	c2c Rail Limited				Y	17/09/2018	No Objection See Annex 1	
6	Chiltern Railway Company Limited				No	N/A	N/A	Emails sent out on:- 10/09/2018, 21/09/2018, 24/09/2018 and 09/10/2018. Telephoned on 12/10/2018 at 15:29

7 East Midlands Trains Limited Y 15/10/2018 No Comment See Annex 1 8 Eurostar International Limited Y 10/09/2018 No Comment See Annex 1 9 Great Western Railway Y 10/09/2018 No Objection See Annex 1 10 Grand Central Railway Y 22/09/2018 No Comment See Annex 1 11 Hull Trains Limited Y 12/09/2018 No Comment See Annex 1 11 Hull Trains Limited Y 12/09/2018 No Comment See Annex 1 12 London & South Eastern Railway Limited Y 11/09/2018 No Comment See Annex 1 13 Morseyrail Electrics 2002 Limited Y 11/09/2018 No Objection See Annex 1 14 Northern Rail Limited Y 10/10/2018 See comments in Annex 1 15 Transpennine Express Y 20/09/2018 No Objection but see additional comments in Annex 1 16 Virgin Trains East Coast Y 25/09/2018 No Objection See Annex 1 17 Aliance Rail Holdings No N/A Images ent out 10/09/2018, 21/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018, 24/09/2018,	Lall	d disposal consultation report				<u> </u>
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19 Limited See Annex 1	10	Limited			See Annex 1	

Lan	a disposal consultation report				VI
20	DB Cargo UK Ltd (Formerly DB Schenker)	Y	16/10/2018	No Objection See Annex 1	
21	Freight Transport Association	No	N/A	N/A	Emails sent out on:- 10/09/2018, 21/09/2018, 24/09/2018 and 09/10/2018. Telephoned on 12/10/2018 at 15:19 and left a voicemail
22	Freightliner Limited	Y	26/09/2018	No Objection but see comment see Annex 1	
23	GB Railfreight Limited	Y	15/10/2018	No Issues See Annex 1	
24	Rail Freight Group	Y	25/09/2018	See Comments in Annex 1	
25	West Coast Railway Company	Y	24/09/2018	See comments in Annex 1	
26	W. H. Malcolm	Y	10/10/2018	No Objection See Annex 1	
27	Association of Community Rail Partnerships	Y	16/10/2018	No Comment See Annex 1	
28	British Transport Police	Y	26/09/2018	No Objection but see comments in Annex 1	
29	High Speed Two (HS2) Ltd	Y	25/09/2018	No Comments See Annex 1	
30	Transport Focus (formerly Passenger Focus)	Y	06/10/2018	No Objection See Annex 1	
31	North Yorkshire County Council	Y	04/10/2018	No Objection but see comments in Annex 1	
32	City of York Council	Y	08/10/2018	See comments in Annex 1	
33	National Railway Museum	Y	12/10/2018	No Objection but see comments in	

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Lan	d disposal consulta	ation report			V 1	.1
				Annex 1		

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

1 Department for Transport

From: Sent: 08 October 2018 19:17 To: @dft.gov.uk Cc: Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Thank-you for your response and confirmation that you have no objection to the disposal of the land referred to in the current Consultation and shown by blue colour on the plan accompanying the consultation.

I note your comment re York Yard South. There is no intention to dispose of land within York Yard South under this application. If, following the review of depots and stabling, it is not required for such use then a further consultation/application will be taken forward regarding its release because the land could be developed for housing.

The land adjoining York Yard South that will be developed for housing as part of the York Central scheme was granted disposal consent in November 2016 and hence the concerns you raise do of course relate to land in a different (and consented) application. The future housing land is next to the operational railway in some form or other as rail lines surround the development.

The land referred to in this application is to be used for part of a new highway.

Regards

Development Surveyor, Network Rail E XXXX

From: @dft.gov.uk Sent: 25 September 2018 17:51 To: Cc: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear

DfT has no objections to the proposed disposal. However, we would like to reiterate that due to depot and stabling concerns, York Yard South should not be released for disposal until NR System Operator's CMSP depot and stabling strategic question has been completed and an alternative site is found. We would also like to note that the use of York Yard South as a potential depot site could be made more difficult by the proximity of the possible depot site to new housing developments. It would be unfortunate if this disposal exacerbates the situation.

Kind regards

Planning

2 West Yorkshire Passenger Transport Executive (Metro)

From: Sent: 08 October 2018 16:48 To: Cc: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Thank you for your response.

Noted re the correct LEP reference and I will alter this.

Regards

Development Surveyor, Network Rail E XXXX

From: @westyorks-ca.gov.uk Sent: 05 October 2018 17:04 To: Cc: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear

Further to your request below, and following dialogue earlier in the year with your colleague XXXX, I am writing to confirm that West Yorkshire Combined Authority has <u>no objection</u> to the land disposal you outline. The land in question is that tinted blue on Network Rail drawing no. 6334745, dated 27 July 2018, and attached to your e-mail below.

In summary, the reason for the Combined Authority's position is that:

- i) the disposal does not prejudice proposals funded by the York, North Yorkshire and East Riding LEP for infrastructure improvement to accommodate two trains per hour on the Harrogate Line between York and Harrogate; and
- ii) the disposal does not prejudice the future ability to increase the number of running lines on the East Coast Main Line from two to four north of York station, which may be necessary to accommodate future growth.

Please note that at Section 4 of the draft application ('Railway Related Issues'), on the 'Impact on current railway proposals' row, point 1 refers to "... a Leeds City Region LEP funded project...". The project in question is funded by the York, North Yorkshire and East Riding LEP.

I trust this is of assistance,

Best regards

Rail Development Manager West Yorkshire Combined Authority | Leeds City Region Enterprise Partnership (the LEP) Wellington House | 40-50 Wellington Street | Leeds | LS1 2DE

<u>www.westyorks-ca.gov.uk</u> | <u>www.the-lep.com</u> Follow the West Yorkshire Combined Authority on <u>Twitter</u> | Follow the LEP on <u>Twitter</u> or on <u>Linked In</u>

Metro is the transport network of the West Yorkshire Combined Authority. Find local travel information at <u>www.wymetro.com</u>, <u>Twitter</u> and <u>Facebook</u>

V 1.1

3 Transport for North

From: @transportforthenorth.com
Sent: 14 October 2018 18:59
To:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Thanks very much for spotting that change of email meant that TfN had got out of the loop with land disposals, and for taking the trouble to contact me and get things sorted.

TfN has no objection to this proposed land disposal.

Regards

Head of Investment Planning TfN Strategic Rail

In April 2018, Transport for the North became England's first Sub-national Transport Body. Find out more about our new powers.

4 Arriva Trains Cross Country

From: @crosscountrytrains.co.uk
Sent: 09 October 2018 17:07
To:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XC Trains Ltd has no comment on this proposed disposal.

Kind regards

Station Contracts Manager CrossCountry

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

Buy train tickets online at crosscountrytrains.co.uk | Get our Train Tickets app for free from your app store or via our website



5 c2c Rail Limited

From: @c2crail.net Sent: 17 September 2018 08:58 To: Subject: Re: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi

No objection from c2c on this proposal.

Regards

Reactive Works Manager

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

c2c

W: www.c2c-online.co.uk

INVESTORS IN PEOPLE Recognised for excellence state

6 Chiltern Railway Company Limited

NO RESPONSE

7 East Midlands Trains Limited

From: @eastmidlandstrains.co.uk Sent: 15 October 2018 11:30 To: Subject: Re: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hello

East Midlands Trains have no comments to make about this potential disposal.

Apologies for the delayed replay.

Kind Regards

Head of Procurement

East Midlands Trains

W: <u>eastmidlandstrains.co.uk</u> A:1 Prospect Place, Millennium Way, Pride Park, Derby, DE24 8HG

8 Eurostar International Limited

From: @eurostar.com Sent: 10 September 2018 16:06 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 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



9 Great Western Railway

From: @gwr.com Sent: 10 September 2018 16:25 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Good afternoon,

Subject to Establishment of the Network Change there is no objection thank you.

Network Access Manager | Great Western Railway 1 Milford Street | Swindon | SN1 1HL

First Greater Western Limited | Registered in England and Wales number 05113733 Registered office: Milford House, 1 Milford Street, Swindon SN1 1HL.

10 Grand Central Railway Company Limited

Fromgrandcentralrail.com Sent: 22 September 2018 12:14 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Apologies for the delay. GC has no comment.

Regards

Chief Operating Officer | Grand Central Rail

E:

Grand Central Railway Company Limited, Ground Floor, Wakefield Railway Station, Monk Street, Wakefield, WF1 4EL W: grandcentralrail.com | Twitter: @gc_rail | Facebook: facebook.com/grandcentralrail_



11 Hull Trains Limited

From: @firstgroup.com Sent: 12 September 2018 07:12 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi

No comment from Hull Trains.

Thanks

Regards

12 London & South Eastern Railway Limited (Southeastern)

From: @southeasternrailway.co.uk
Sent: 11 September 2018 11:23
To:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Good morning

Thank you for the opportunity to review the below.

Southeastern has no comment on this proposal.

Thank you, Kind Regards,

Commercial Coordinator southeasternrailway.co.uk

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

13 Merseyrail Electrics 2002 Limited

From: @merseyrail.org Sent: 11 September 2018 09:12 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

We have no objections, thanks

Legal & Contract Assistant Merseyrail

Tel		
Mob		
Web		

14 Northern Rail Limited

From: @northernrailway.co.uk Sent: 24 October 2018 15:19 To: Cc: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018 Hi

Apologies for the delay. I can confirm we are happy with Mike's response.

Thanks,

From: @networkrail.co.uk
Sent: 24 October 2018 12:42
To: @northernrailway.co.uk
Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi

Further to XXXX earlier email can you confirm that you are ok to go with a 'no comment' with regards to the response below from

Kind regards



Technical Support Assistant, Property Square One, 1st Floor

V 1.1

4 Travis Street, Manchester M1 2NY E XXXX

www.networkrail.co.uk/property

From: Sent: 10 October 2018 12:00 To: Cc: Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

As stated in the Application,

"The proposed disposal does not prevent the provision of 2 additional lines north of York running parallel to the existing ECM formation and adjoining the York Central development site as the corridor of land for this is protected within NR ownership and the proposed bridge span is based on 4 lines. This decision is based on work done by NR's System Operator in the ECML Route Study that safeguards the formation north of York to ensure the possibility of a third line between York Station and Skelton Junction is not prejudiced by any land disposals. The proposed bridge allows for a fourth line to give flexibility in this area for additional connections to the NRM or new stabling that may be provided."

I hope this deals with your first point.

The application for this disposal does not affect the land past the ROC that has previously been safeguarded for the Harrogate Chord. However, as advised to you in emails earlier this year Network Rail has no plans to promote a line past the ROC and into a new Platform 12 as a better option is available within the planned capacity schemes in and around the station.

Regards

Development Surveyor, Network Rail

E XXXX

From: @northernrailway.co.uk Sent: 09 October 2018 16:27 To: Cc: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi

I'm very sorry for the delay in responding to the below. I have a response from Northern with a few further questions -

Thanks,

Whilst the work to deliver 2TPH on Harrogate line is west of Skelton, ultimately the capacity constraint is Skelton to York.

Therefore, any land disposal needs to provide passive provision to deal with this. The proposed land disposal and bridge as per the attached needs to allow for a 4 track formation between Skelton and York Station to future proof it. Please can you confirm this is going to be the case?

It is not clear from the info as to whether there is still access from the freight lines through the tear drop site (past the ROC) into a new platform 12 which was the other alternative option floated for the Harrogate line which we fed back at the time.

15 Transpennine Express

From: Sent: 08 October 2018 19:35 To: @firstgroup.com Cc: Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Development Surveyor, Network Rail E XXXX

Thank you for your letter confirming no objection to the planned disposal.

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V 1.1

As you are aware and, as stated in the consultation document, Network Rail is safeguarding the land in York Yard South and not seeking consent for its disposal at this point. The land is safeguarded for potential future stabling and Network Rail will continue to seek to protect this use until such time as it is established that the land is not required or is developed for such stabling. This was also a point made in the application for adjoining land that was given consent to disposal in November 2016.

The site has had an allocation for redevelopment as part of the York Central site since at least the 2005 Council Development Plan and is included in the recent outline planning application for the York Central scheme that Network Rail submitted with Homes England in August. Therefore, the Council would prefer to see it included in the York Central development but the scheme to redevelop the site has been prepared to allow for the option where York Yard South is used for stabling.

Therefore, whilst all other stakeholders in the York Central scheme are aware of the stabling aspirations for York Yard South it would not be possible for the Council to give the assurance you refer to re planning for this use.

Regards

Development Surveyor, Network Rail E XXXX

From: @firstgroup.com Sent: 20 September 2018 15:28 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Regards

Head Of Property, TransPennine Express 7th Floor, Bridgewater House, 60 Whitworth Street, Manchester, M1 6LT @firstgroup.com www.tpexpress.co.uk



TransPennine Express 7th Floor Bridgewater House 60 Whitworth Street Manchester M1 6LT www.tpexpress.co.uk

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

19th September 2018

Ref:

Dear Sirs,

RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End

With reference to the above Property disposal application, please accept this letter as confirmation that TransPennine Express has no objection but would like to make the following comments;

In moving forward with this land clearance Network Rail should consider marking out the remaining land as strategic depot and stabling land and gain assurance from York City Council that in developing their proposal on the land they will not prevent through planning any future redevelopment of York yard south for depot and stabling use.

Protecting a corridor to allow 4 tracks from York station to Skelton junction through this site and the bridge span for the new road to accommodate 4 tracks beneath is fully supported.

Yours Faithfully,

Head of Property

TransPennine Express Limited Registered in England Number 09111801 50 Eastbourne Terrace, Paddington, London, W2 6LG



16 Virgin Trains East Coast

From: @Iner.co.uk
Sent: 25 September 2018 15:27
To:
Cc:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

This email is to confirm that LNER has no objection to this proposed disposal.

Regards

Major Projects Director LNER East Coast House, 25 Skeldergate, York, YO1 6DH @Iner.co.uk

17 Alliance Rail Holdings

NO RESPONSE

18 COLAS Rail Limited

From: @colasrail.com
Sent: 21 September 2018 15:20
To: XXXX
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

No comment.

XXXX,



Property Manager

Tel. Mob. XXXX

COLAS RAIL LTD Dacre House - Floor 4, 19 Dacre Street, London, SW1H 0DJ, United Kingdom www.colasrail.co.uk

19 Direct Rail Services Limited

From: drsl.co.uk
Sent: 05 October 2018 11:08
To: XXXX
Cc: XXXX
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX

DRS have no comments.

Best Regards,

XXXX Procurement Apprentice

Direct Rail Services Ltd

Regents Court Baron Way Carlisle CA6 4SJ V 1.1

T: E:



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20 DB Cargo UK Ltd (Formerly DB Schenker)

From: deutschebahn.com On Behalf Of DBCargoConsultations@deutschebahn.com
Sent: 16 October 2018 16:03
To: XXXX
Subject: Re: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

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

Yours,

XXXX Rail Network Manager DB Cargo (UK) Limited 310 Goswell Road

> London EC1V 7LW Tel. XXXX

From December 2016 my e-mail address will be <u>deutschebahn.com</u> and all previous addresses will cease to function.

Network Change and other consultations, e.g. land disposals, should be e-mailed to: deutschebahn.com

V 1.1
21 Freight Transport Association

NO RESPONSE

22 Freightliner Limited

From: XXXX Sent: 08 October 2018 16:54 To: freightliner.co.uk Cc: XXXX Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

Thanks for your response to the consultation.

The land you occupy under lease in York Yard South is not within this application or within the land for which I obtained LC7 consent in Nov. 2016. Therefore, your occupation of this land can continue.

If the proposed development goes forward then the first piece of infrastructure will be the new highway through the site and this does go straight through the Wagon Repair Depot and sidings. The highway is dependent on both planning and a funding agreement for the infrastructure which we anticipate will be in place by March 2019. However, initial works on the WRD site will have to commence in advance of this date.

Regards

XXXX Development Surveyor, Network Rail M XXXX

From: freightliner.co.uk
Sent: 26 September 2018 09:18
To: XXXX
Cc: XXXX
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX

Freightliner do not object to this disposal.

If however, for whatever reason the scheme does not go ahead we would like the opportunity to remain in occupation.

Kind regards

Group Property Manager Freightliner Group Limited

Email: XXXX Web: <u>www.freightliner.co.uk</u> Freightliner® is a registered trademark

Please consider the environment before printing this email

23 GB Railfreight Limited

From: gbrailfreight.com
Sent: 15 October 2018 13:58
To: XXXX
Subject: RE: Consultation on proposed land disposal: York land off Cinder Lane - Closing Date - 1st September 2017

XXXX,

No issues from GB Railfreight.

Regards,

XXXX

Head of Capacity Planning, GB Railfreight Ltd., 3rd Floor, 55 Old Broad Street, London, EC2M 1RX.

E-mail: XXXX

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

24 Rail Freight Group

From: XXXX
Sent: 08 October 2018 17:02
To: rfg.org.uk
Cc: XXXX
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX,

The current consultation relates to a fairly small area of land next to the East Coast Main Line as shown by solid blue colour on the attached plan. Matt Hill at Freightliner has confirmed he has no objection to the disposal – see attached email dated 26th September.

It relates to a much more extensive area of land for disposal and I obtained the necessary ORR consent to disposal for this more substantial disposal in November 2016. This land is shown by blue cross-hatch on the plan.

Regards

XXXX Development Surveyor, Network Rail



From: XXXX
Sent: 08 October 2018 14:49
To: XXXX
Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX

See below comments from XXXX.

Regards

From: freightliner.co.uk
Sent: 26 September 2018 09:18
To: XXXX
Cc:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX

Freightliner do not object to this disposal.

If however, for whatever reason the scheme does not go ahead we would like the opportunity to remain in occupation.

Kind regards

XXXX

Group Property Manager Freightliner Group Limited

Freightliner® is a registered trademark

From: rfg.org.uk
Sent: 25 September 2018 15:49
To: XXXX
Cc: freightliner.co.uk
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX, it seems to be a fairly substantial disposal, but assuming Freightliner are content, and the necessary network changes are in place, then I cannot see any reason to object,

Thanks

XXXX

Executive Director

Rail Freight Group 7 Bury Place London WC1A 2LA

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Rail Freight (Users and Suppliers) Group Registered No. 332 4439 <u>www.rfg.org.uk</u> Twitter @railfreightUK

25 West Coast Railway Company

From: XXXX Sent: 25 September 2018 11:57 To: XXXX Cc: XXXX Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

I'm not sure about caveats but we're stating in the application that we will transfer the land to a Highway Authority. As a matter of course we'll only transfer if the highway scheme proceeds and there is a highway being built.

Regards

Development Surveyor, Network Rail

From: wotho Sent: 25 September 2018 11:53 To: XXXX Cc: Subject: Re: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX

My point, as you will appreciate, was to ensure that the transfer was not irretrievable, should the main scheme not go ahead. I would not object, provided that caveat can be assured.

XXXX+

From: XXXX Sent: 25 September 2018 10:08 To: XXXX Cc: Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX

XXXX has forwarded this on to me to respond.

The disposal will occur if the road scheme at York Central proceeds. This is conditional on planning, funding arrangements and certainty of land availability. Therefore, I have to establish that the land can be sold by obtaining LC7 consent.

Regards

Development Surveyor, Network Rail

From: XXXX Sent: 24 September 2018 14:26 To: XXXX Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Hi XXXX

Are you able to go back to XXXX. See his comments below.

Regards

XXXX

From: aol.com
Sent: 24 September 2018 12:23
To: XXXX
Subject: Re: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX

Can you confirm that this disposal, which I note is a freehold transfer, is nonetheless conditional on the go-ahead of the whole York Central development?

You are no doubt aware that there have been previous 'one-way' disposals in the York area, which have subsequently been bought back for rail use at a substantial premium. Pending confirmation and certainty of completion of the development (to which, of course, we realise this transfer is fundamental), we would not wish to see that situation re-occur.

Best

XXXX

WCR

Land disposal consultation report 26 W. H. Malcolm

From: whm.co.uk Sent: 09 October 2018 16:35 To: Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

Apologies, thought I had replied.

Confirm no objections.

Regards

XXXX

27 Association of Community Rail Partnerships

From: acorp.uk.com
Sent: 16 October 2018 09:05
To:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

No comment

XXXX

Senior Operations Manager



Mobile XXXX Web: XXXX The Old Water Tower, Huddersfield Railway Station, St Georges Square, Huddersfield HD1 1JF



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28 British Transport Police

From: XXXX Sent: 27 September 2018 09:08 To: XXXX Cc: XXXX Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Thanks for the response XXXX.

Noted re the bridge design issues. I would hope that our Asset Protection team will be of a similar view in terms of the parameters they give the designers to work to and protection of the railway.

Regards XXXX Development Surveyor, Network Rail

35.

From: btp.pnn.police.uk
Sent: 26 September 2018 12:46
To: XXXX
Cc:
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear XXXX

With regards to the proposal mentioned below I can confirm that BTP has no objections.

The only point I would like to raise is that we would like to have sight of the proposed bridge designs when they become available. The proximity of a large residential development in close proximity to the lines will mean that any new bridge in the area is potentially a future trespass target and so the protective measures around it will need to be robust.

Regards

XXXX Designing Out Crime Officer. C Division, Pennines

Designing Out Crime Unit. British Transport Police, 1st Floor West Gate House, Grace St, Leeds, LS1 2RP Mobile Email www.btp.police.uk

From: Design-OutCrime
Sent: 26 September 2018 11:59
To: XXXX
Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

This relates to my email just now I believe

CRU - CRU-2018-1740

Kind regards,

XXXX Designing out Crime Coordinator

Designing out Crime Unit British Transport Police 25 Camden Road NW1 9LN Web: www.btp.police.uk

29 High Speed Two (HS2) Ltd

From: hs2.org.uk Sent: 25 September 2018 14:31 To: XXXX Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear XXXX,

No implications for the HS2 programme so HS2 Ltd has no comments to make on this matter.

Kind regards,

XXXX, | Safeguarding Planning Manager, Infrastructure Directorate | HS2 Ltd

High Speed Two (HS2) Limited, Two Snowhill, Snow Hill Queensway, Birmingham, B4 6GA | www.gov.uk/hs2

30 Transport Focus (formerly Passenger Focus)

From: transportfocus.org.uk
Sent: 06 October 2018 18:53
To: XXXX
Subject: Re: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018 2109i19

XXXX,

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

it is two areas of land, one each side of the ECML south of the Water End overbridge; the land is to be sold freehold to the City of York Council for use as the route of a new road to access the "York Central" development site; an overbridge, for which an easement will be required, will be constructed across the ECML; the overbridge will be designed to span four tracks, allowing for proposed enhancements; displaced railway facilities will be relocated; a planning application for the new road is due to be submitted in the Autumn of 2018; if granted, completion of the disposal is expected before the end of 2019.

Transport Focus has no objection to the proposed disposal.

XXXX.

31 North Yorkshire County Council

From: XXXX Sent: 08 October 2018 17:03 To: XXXX Cc: Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

Thanks for your response.

I will amend the LEP reference – apologies for the error in the consultation document.

Regards

XXXX Development Surveyor, Network Rail

From: northyorks.gov.uk
Sent: 04 October 2018 13:05
To: XXXX
Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX, Thank you for the opportunity to comment on your proposed Land Disposal Consultation.

We note your identification of the impact on the current proposals for the Harrogate line improvements, and your assurance that

"The improvements to the Harrogate line services are not dependent on use of land within the proposed disposal site

And that

"The proposed disposal does not prevent the provision of 2 additional lines north of York running parallel to the existing ECM formation and adjoining the York Central development site as the corridor of land for this is protected within NR ownership and the proposed bridge span is based on 4 lines And further that this

"safeguards the formation north of York to ensure the possibility of a third line between York Station and Skelton Junction is not prejudiced by any land disposals and

"The proposed bridge allows for a fourth line to give flexibility in this area for additional connections to the NRM or new stabling

On the basis of the information in the application form to the ORR for land disposal, we have no objection to your formal application for the disposal.

NB

Please correct error on page 4 Paragraph 1: ... North Yorkshire County Council and York North Yorkshire & East Riding LEP funded project ... not Leeds City Region LEP funded project ...

Hope this is helpful.

Regards

XXXX Senior Strategy and Performance Officer Strategic Support Service East Block, County Hall Northallerton

Tel: XXXX Mobile: XXXX

32 City of York Council

From: XXXX Sent: 08 October 2018 16:38 To: XXXX Cc: XXXX Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

XXXX,

Thank you for your response.

I can confirm the proposed disposal does not hinder future aspirations to increase rail capacity as referred to in the Consultation documents.

Regards

XXXX Development Surveyor, Network Rail

From: york.gov.uk Sent: 08 October 2018 12:42 To: XXXX Cc: XXXX Subject: RE: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear XXXX

Apologies for the late response.

The City of York Council are supportive of the proposed disposal which enables the necessary Highway works to be progressed to provide access to the York Central Development. This support is provided on the basis that the disposal does not hinder the future aspirations to increase rail capacity north of York Station. The document highlights that the disposal will not prevent the future provision of 4 tracks under the new access bridge adjacent to the ECML. Regards

XXXX | Head of Transport

City of York Council | Directorate of Economy and Place West Offices | Station Rise | York | YO1 6GA www.york.gov.uk | facebook.com/cityofyork | @CityofYork

Land disposal consultation report 33 National Railway Museum

From: sciencemuseum.ac.uk
Sent: 12 October 2018 14:23
To: XXXX
Cc: XXXX
Subject: FW: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear XXXX,

Apologies for the late response.

I can confirm that the National Railway Museum has no objection to this disposal, on the proviso that the Museum's access to the mainline is preserved as described in the application.

Kind regards,

XXXX YORK CENTRAL PARTNERSHIP LEAD

Annex 2

From: XXXX Sent: 10 September 2018 15:58 To: XXXX Cc: XXXX Subject: Land Disposal Consultation - York - Land adjoining Leeman Yard and off Water End - Closing Date - 8th October 2018

Dear Consultee,

Property: York: land adjoining Leeman Yard and off Water End, York, N Yorkshire

We seek to consult you as regards your views, please, on our proposed disposal by way of freehold sale

We attach a draft application form to the Office of Rail and Road which, with the related plan(s), explains the proposal in detail. Subject to the outcome of our consultation, we may make a formal application to ORR for consent to the disposal, as required under the terms of our network licence land disposal condition. We would expect to make an application based on this form, updated in the light of consultation responses. It is therefore important that we have your views, so that these may be considered in ORR's decision.

Alternatively, if in the light of the consultation responses, the proposed disposal would qualify to be made under ORR's general consent, we may complete it accordingly.

We request your comments, please, by 8th October 2018 (including any "no comment" response). It would be helpful if your response is provided by email. Should no response be received by 8th October 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 XXXX. If future consultations of this nature should be directed differently to your organisation, please advise us of the appropriate contact details, so we may amend our records.

Yours faithfully,

XXXX



XXXX

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

www.networkrail.co.uk/property

