

26 October 2012

Company Secretary
Network Rail Infrastructure Limited
Kings Place
90 York Way
London
N1 9AG

**Network licence condition 7 (land disposal):
Pershore station, Worcestershire**

Decision

1. On 27 September 2012, Network Rail gave notice of its intention to dispose of the land adjoining Pershore station, Worcestershire (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).
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 land in accordance with the particulars in its notice.

Reasons for decision

3. We are satisfied that Network Rail has consulted all relevant stakeholders with current information. No objections were received. We note that:
 - there is no evidence that the proposed disposal would affect adversely existing or future railway operations; and
 - the proposed disposal, as part of an exchange of land with the adjoining land owner, will enable the provision of additional car parking spaces for passengers using Pershore station.
4. Based on the evidence we have received and taking into account all of the material facts and views relevant to our consideration under condition 7, we are satisfied that there are no further issues for us to address.
5. We have had regard to our decision criteria in *Land disposal by Network Rail: the regulatory arrangements, October 2010*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

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

exercise our functions in a manner which we consider best calculated to “*protect the interests of users of railway services*”.

6. 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 black ink, which appears to read 'Robert M Plaskitt'. The signature is written in a cursive style with a large, looping 'R' at the beginning.

Rob Plaskitt

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	The land that is the subject of the Land Exchange adjoins Pershore station, but is not within the Station Lease area, which is situated on the Oxford, Worcester and Wolverhampton railway line. Pershore station is situated on the edge of the town of Pershore off the B4082. The station is positioned within an industrial part of the town.
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	Plan 55961 shows the land to be sold by Network Rail in blue (the disposal site) and the land to be purchased in red.
Clearance Ref:	CR/18447, CR/13186, CR/18448
Project No.	Pershore Station Commercial Project Facility Carpark scheme
Ordnance survey co-ordinates	E395118 N248042.
Photographs (as required)	
2. Proposal	
Type of disposal (ie: lease/freehold sale)	<p>By way of Land exchange with Network Rail selling the land coloured blue on plan 55961 and in return Network Rail purchasing the land coloured red.</p> <p>Also land is proposed to be leased from xxxx, as shown on plan 55961A.</p> <p>There are two areas, proposed to be included in the Station Lease via a Supplemental lease, one is the land coloured red on plan 55961, which is also shown on plan 55961B and the second is land to be leased by Network Rail from xxxx, as shown on plan 55961A.</p> <p>Plan 55961C shows the proposed new Station Lease plan with the two additional areas included.</p> <p>This will enable provision of approximately 57 additional car parking spaces at the Station, with 23 of the 57 spaces being provided in the land coloured red on plan 55961. These two additional areas proposed to be included in the Station Lease as mentioned above are required to enable the Station Commercial Project Facility scheme to deliver these additional spaces at the Station.</p> <p>The disposal site, coloured blue, is not included in the Station lease.</p>
Proposed party taking disposal	xxxx is the adjoining landowner and the disposal site is being sold to him, with the red land being purchased from him by Network Rail.
Proposed use/scheme	As mentioned above the land to be purchased by Network Rail coloured red and the adjoining area to be leased, are to be included in the Station lease, to enable the Station Commercial Project Facility scheme funded by the DfT, to provide additional car parking spaces at the Station.

Access arrangements to/from the disposal land	Access rights are granted to xxxx through a conveyance of land (the Depot site), as shown on the conveyance plan, which was sold by BRB to Warrington (Persnore) Limited on 31/3/1992. These access rights grant access to the disposal site as well as the Depot site.
Replacement rail facilities (if appropriate)	This area is not included in the Station lease at present. The proposed scheme significantly enhances the car parking facilities at the station, which currently has approximately 18 spaces.
Anticipated Rail benefits	Additional provision of car parking at the Station together with an enhanced layout for the car park, which should encourage more rail passengers.
Anticipated Non-rail benefits	
3. Timescales	
Comments on timescales	The intention is to draft documentation for the Land Exchange now whilst the consultation is underway and as soon as approval has been given for this by the Office of the Rail Regulation, the intention will be to complete the documentation.
4. Railway Related Issues	
History of railway related use	Maintenance and other vehicles have parked in this area on an adhoc basis.
When last used for railway related purposes	As advised above.
Any railway proposals affecting the site since that last relative use	None
Impact on current railway related proposals	Not applicable
Potential for future railway related use	There is no reference in relation to this, in the RUS, in respect of Persnore Station and the SFO (First Greater Western) has confirmed that the land will not be required in connection with the Station when the Land Exchange has been completed.
Any closure or station change or network change related issues	As this area is not included in the Station lease, Closure and Station Change are not required.
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	The land is not required by Network Rail for access purposes and the SFO (First Greater Western) has confirmed that the area will not be required in connection with the Station when the Land Exchange has been completed.

Position as regards safety/operational issues on severance of land from railway	<p>1. The disposal does not include any requirement for new fencing of the railway boundary, as sufficient fencing already exists.</p> <p>2. 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>
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5. Planning History and Land Contamination

Planning permissions/Local Plan allocation (if applicable)	The Disposal site is a non allocated site in the Local plan. Oxford Architects are dealing with the Planning Application for the car parking scheme proposal on the land coloured red and the land proposed to be leased. Wychavon District Council and Worcester County Council have both written to confirm their support for this proposal.
Contamination/ Environmental Issues (if applicable)	There are no environmental issues that we are aware of that would prevent Network Rail from undertaking the Land Exchange, to enable completion of the car park scheme.

6. Consultations

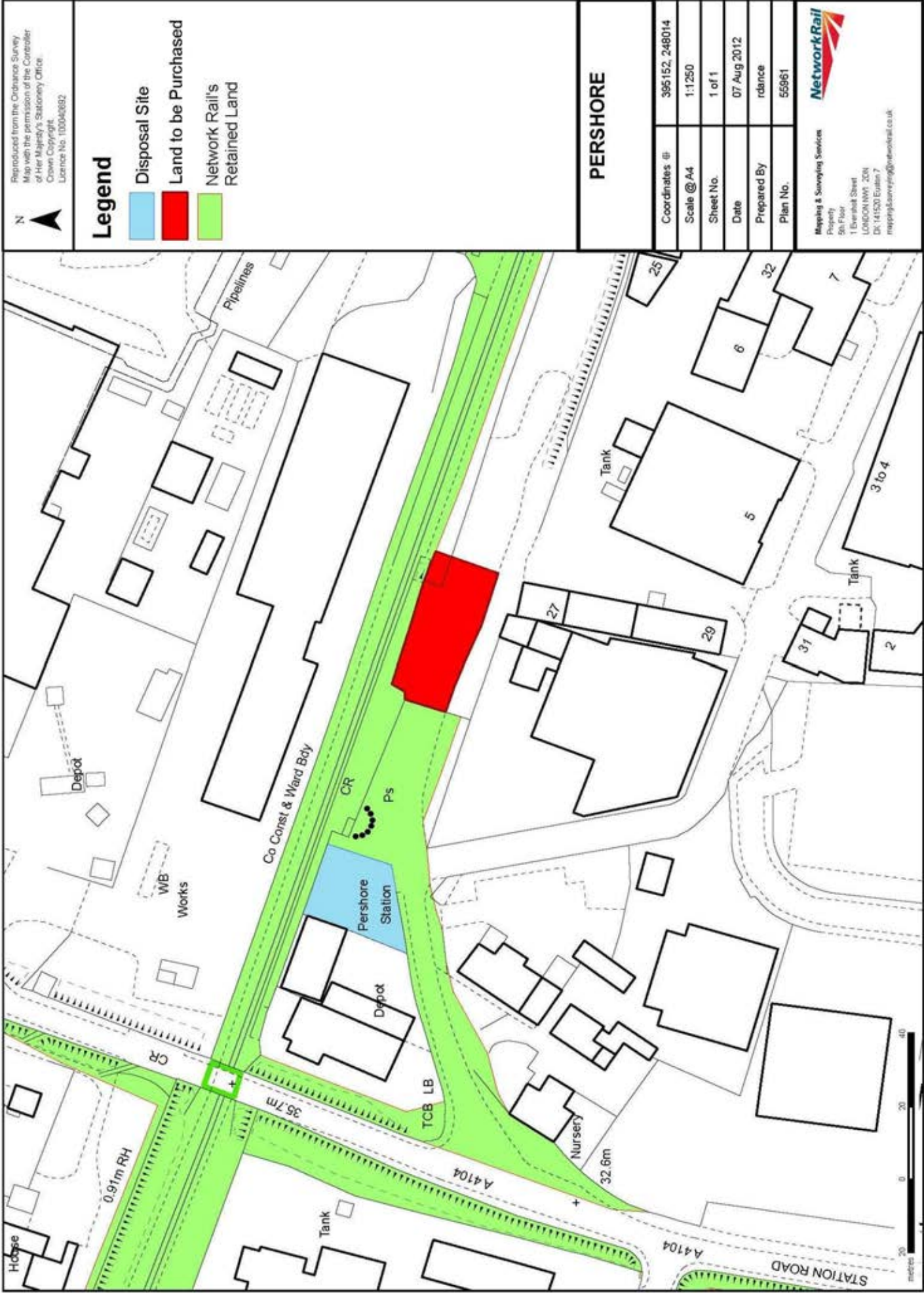
Railway (internal – Network Rail)	Approval was obtained previously for the land disposal and the acquisition but had lapsed for the land disposal and has now been obtained again.
Summary of position as regards external consultations	External Clearance consultation was undertaken on 16 th July and no objections have been received. The Consultation Report is attached with the responses.
Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	This is not applicable in respect of the responses received.

7. Local Authorities

Names & E-Mail Addresses:	@worcestershire.gov.uk @wychavon.gov.uk
Local Transport Authorities:	Worcestershire County Council
Other Relevant Local Authorities:	Wychavon District Council

8. Internal Approval

Surveyor Name:
Approved by Property Development Manager	<p>Name:</p> <p>Date approved by PDM 20th September 2012</p>



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Head Lease



Access



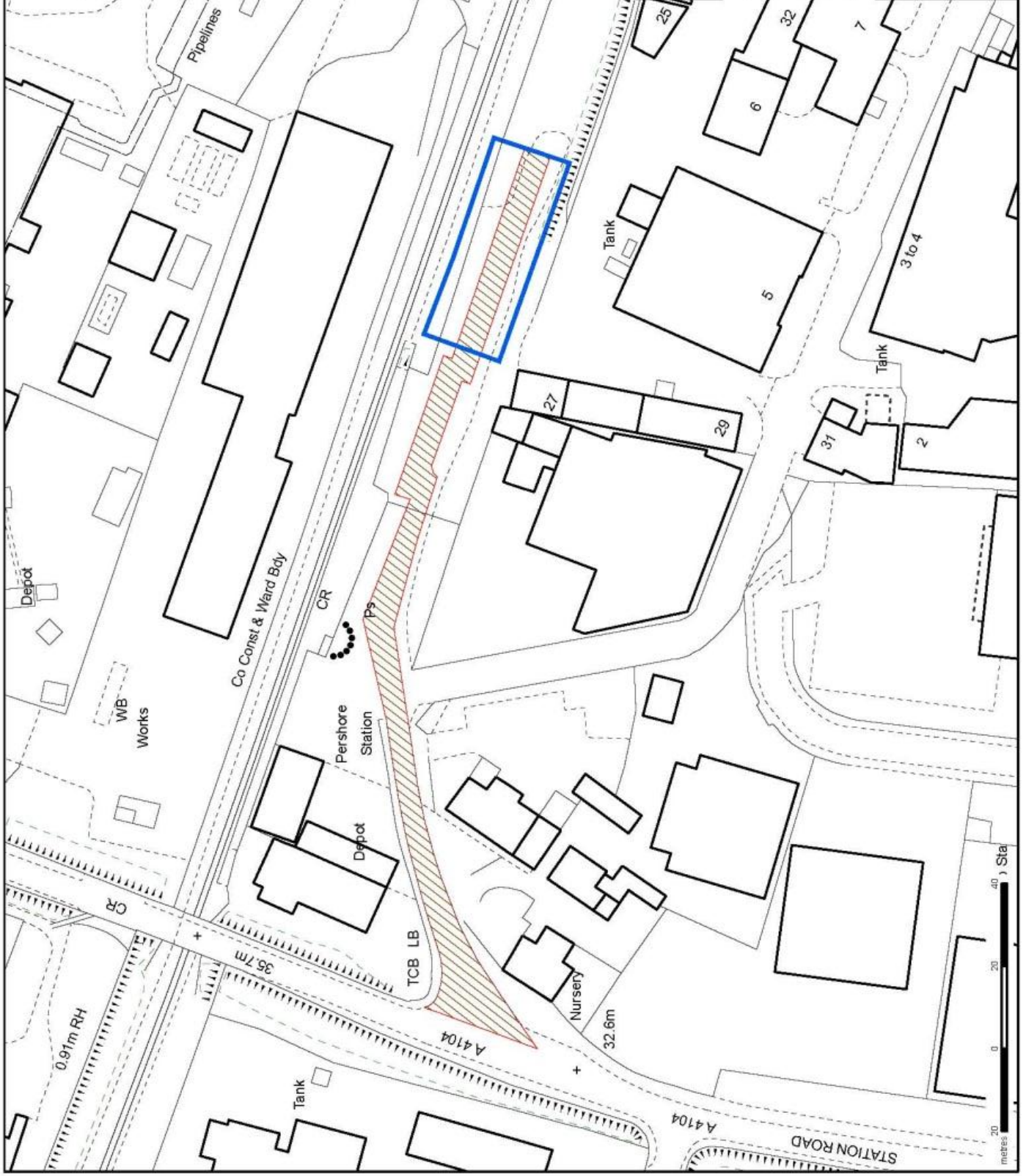
PERSHORE

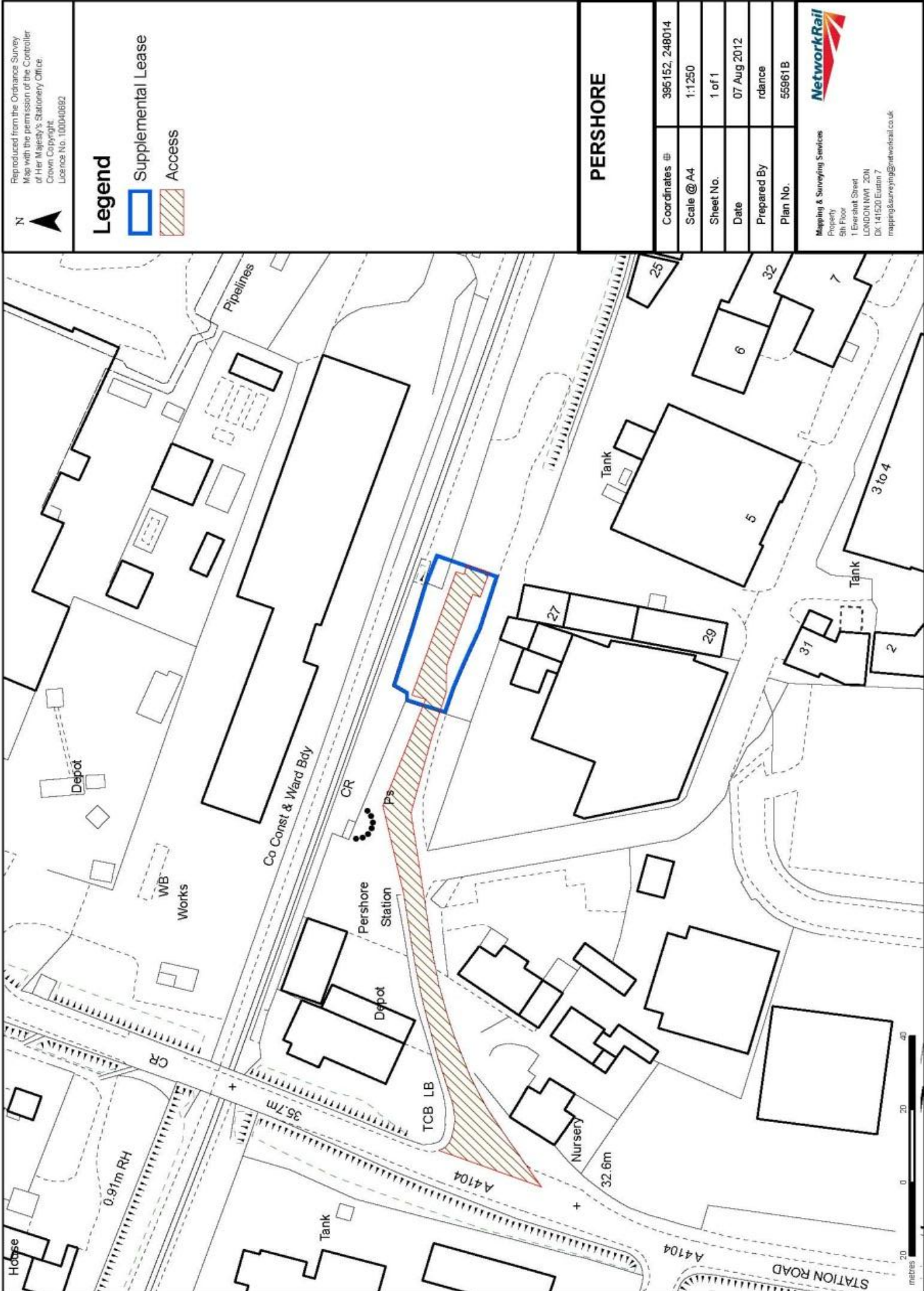
Coordinates	396152, 248000
Scale @ A4	1:1250
Sheet No.	1 of 1
Date	07 Aug 2012
Prepared By	rdance
Plan No.	55961 A



Mapping & Surveying Services

Property
5th Floor
1 Evershot Street
LONDON NW1 2ON
DX 141520 Euston 7
mapping&surveying@networkrail.co.uk





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Legend

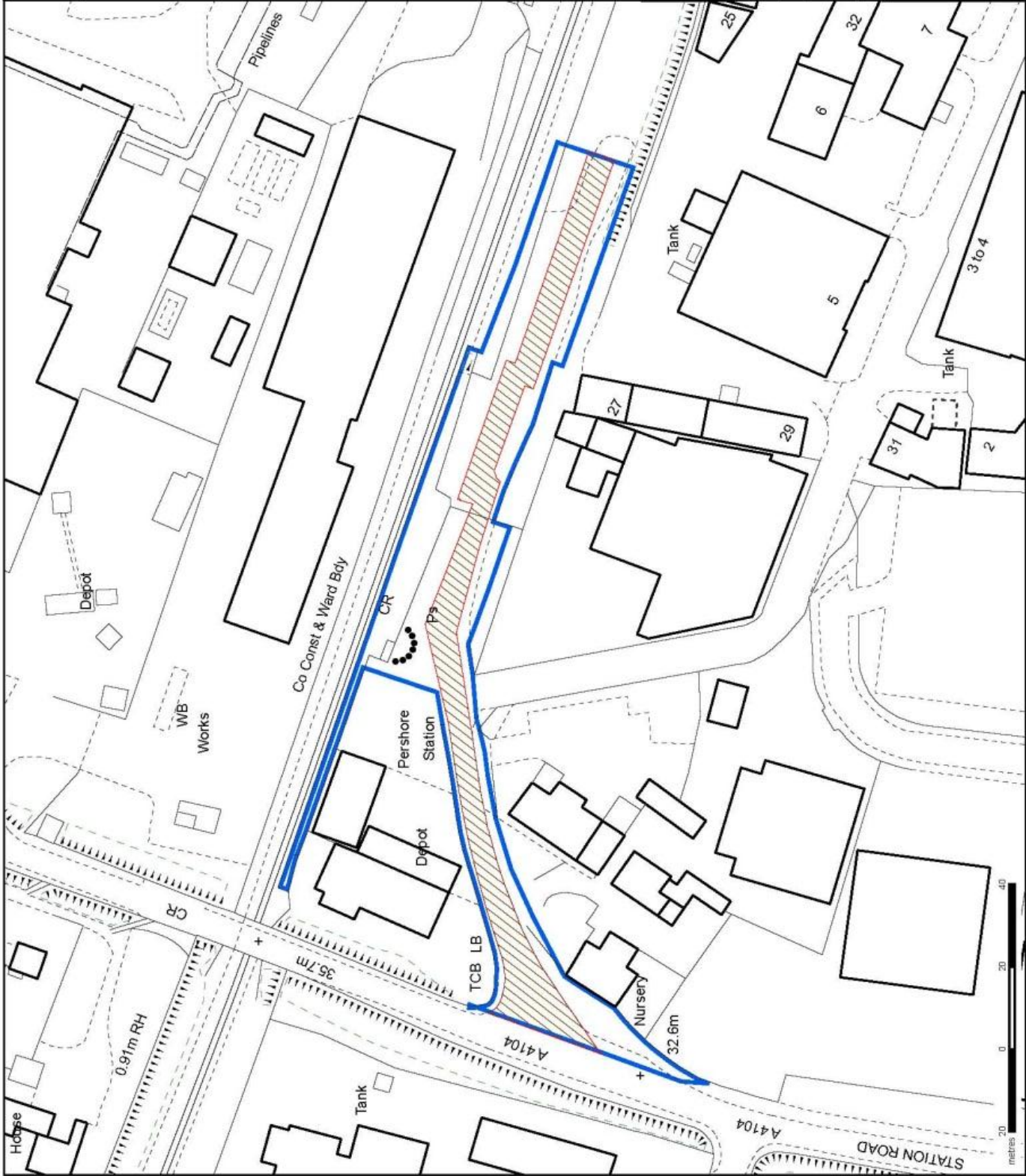
-  Supplemental Lease
-  Access

PERSHORE

Coordinates @	395152, 248014
Scale @ A4	1:1250
Sheet No.	1 of 1
Date	07 Aug 2012
Prepared By	rdance
Plan No.	55961B

NetworkRail

Mapping & Surveying Services
Property
8th Floor
1 Eversholt Street
LONDON NW1 2ON
DK 141520 Eudm 7
mapping@networkrail.co.uk



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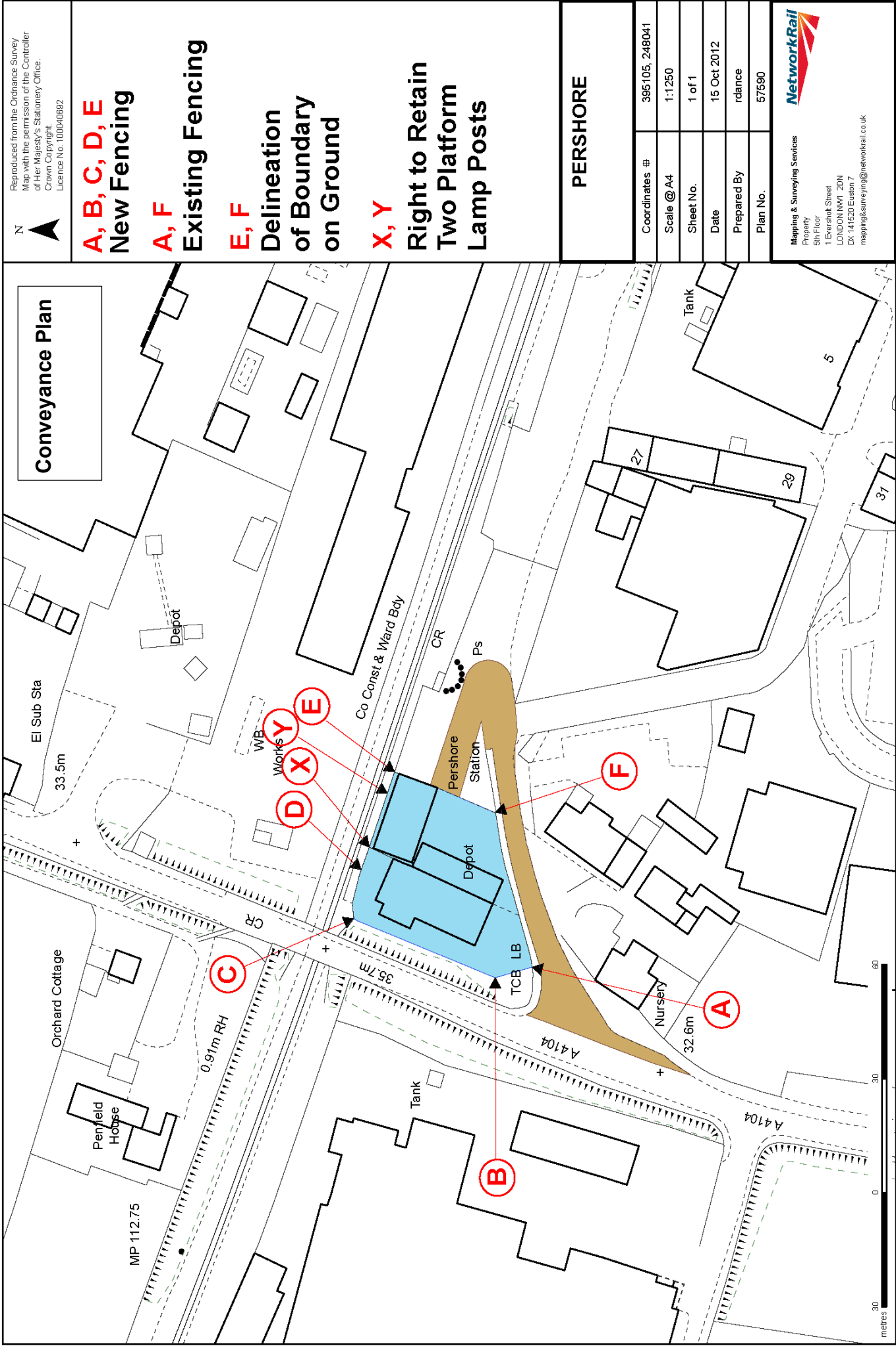
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Coordinates @	385152, 248014
Scale @ A4	1:1250
Sheet No.	1 of 1
Date	07 Aug 2012
Prepared By	rdance
Plan No.	55961C



Mapping & Surveying Services

Property
5th Floor
1 Evershot Street
LONDON N1M 2BN
DK 141520 Eudam 7
mapping@surveying@networkrail.co.uk



PROPOSED PROPERTY DISPOSAL CONSULTATION REPORT

relating to

APPLICATION BY NETWORK RAIL INFRASTRUCTURE LIMITED FOR REGULATORY CONSENT UNDER THE LAND DISPOSAL CONDITION OF ITS NETWORK LICENCE

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

Site location/address: Land at Pershore Station, Worcestershire

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

Summary of position regarding responses: 23 out of 26 responses have been received. The vast majority of the responses advised of no comments or no objection. Passenger Focus advise that this proposal should be approved, the Cotswold Line Promotion Group warmly welcomes this proposal and First Great Western also support this proposal.

The full list of external consultees is set out below:

No.	External party (name)	Whether response received (y/n)	Date of response	Details of response (e.g. "no comment"), with reference to any accompanying copy representation in annexes to this report	Comments (e.g. as regards endeavours to obtain response where none given)
1	Captrain UK Limited	Yes	15/8/2012	No comments See Annex 1	
2	Eurostar International Limited	Yes	10/8/2012	No comments See Annex 1	
3	ACoRP	Yes	1/8/2012	No objection – See Annex 1	
4	Arriva Trains Cross Country	Yes	23/7/2012	No objection See Annex 1	
5	Passenger Focus	Yes	23/7/2012	See comment in Annex 1	
6	Cotswold Line Promotion Group	Yes	19/7/2012	See comment in Annex 1	
7	Northern Rail	Yes	18/7/2012	No objection See Annex 1	
8	First Great Western Limited	Yes	18/7/2012	First Greater Western supports this proposal.	
9	Merseyrail Electrics 2002 Limited	Yes	17/9/2012	No objection See Annex 1	
10	GB Railfreight Limited	Yes	16/7/2012	No objection See Annex 1	

11	C2C Rail Limited	Yes	16/7/2012	No objection See Annex 1	
12	Rail Freight Group	Yes	16/7/2012	No comments See Annex 1	
13	London & South Eastern Railway Limited (Southeastern)	Yes	16/7/2012	No comments See Annex 1	
14	Freightliner Limited	Yes	16/7/2012	No comments See Annex 1	
15	Chiltern Railway Company Limited	Yes	16/7/2012	No comments See Annex 1	
16	Colas Freight	Yes	16/9/2012	No objection See Annex 1	
17	DP World	Yes	16/9/2012	No comments See Annex 1	
18	Direct Rail Services Limited	Yes	16/7/2012	No objection See Annex 1	
19	Wychavon District Council	Yes	20/7/2012	No objection See letter in Annex 1	
20	Worcestershire County Council	Yes	18/7/2012	No objection See letter in Annex 1	
21	Department for Transport	Yes	14/9/2012	No comments See Annex 1	
22	Grand Central Railway Company Limited	No			Further email sent out requesting response.
23	DB Schenker	No			Further email sent out requesting response.
24	Freight Transport Association	Yes	13/9/2012	No comments See Annex 1	
25	West Coast Railway Company	Yes	13/9/2012	No comments See Annex 1	
26	British Transport Police	Yes	20/9/2012	No objection See letter in Annex 1	

Copies of responses are given in Annexe 1 to this report, as indicated above.

A copy of the consultation request (before customisation for any individuals) is given in Annex 1.

Annex 1

From: @networkrail.co.uk]

Sent: 16 July 2012 13:38

To:

Subject: Pershore Land Exchange - Consultation on proposed land disposal

Subject:	Consultation on proposed land disposal: Pershore Land Exchange
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Dear Consultee,

Property: **Pershore Land Adjoining Station**

We seek to consult you as regards your views, please, on our proposed disposal by way of land exchange with Network Rail selling the land coloured blue on enclosed plan and in return Network Rail purchasing the land coloured red.

We attach a draft application form to the Office of Rail Regulation which, with its 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 make the disposal under the terms of our network licence land disposal condition. We would expect to make an application based on this form, updated in the light of consultation responses.

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

ORR reviewed our land disposal arrangements so that from 1 April 2008, ORR will no longer launch any separate consultations when we apply for consent to dispose of land. The arrangements are that we will consult and report the results to ORR in conjunction with our application. It is therefore important that we have your views, so that these may be considered in ORR's decision.

We request your comments, please, by 27th August 2012 (including any "no comment" response). It would be helpful if your response is provided by email.

If you have any queries as regards this proposal, please direct them to xxxxxxxx@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,

1) Captrain UK Limited

RE: Pershore Land Exchange - Consultation on proposed land disposal

@captrain.co.uk]

We have no comments.

Regards.
Captrain UK Ltd
2nd Floor, Asra House
1 Long Lane
LONDON SE1 4PG

2) Eurostar International Limited

@eurostar.com]

I can't remember if I replied to your email or not but in any case, Eurostar has no comment on this consultation.

Kind regards

Eurostar International Limited
Times House | Bravingtons Walk | London N1 9AW
T +
Official International Rail Services Provider to the London 2012 Olympic and Paralympic Games
eurostar.com

3) Association of Community Rail Partnerships

@btconnect.com]

Thank you for your email. ACoRP have no objection to this disposal.

ACoRP

4) Arriva Trains Cross Country

@crosscountrytrains.co.uk]

XC Trains has no objection to this proposal.

Regards

5) Passenger Focus

@passengerfocus.org.uk]

Thank you for sending Passenger Focus details of the at Pershore. They note that after selling and buying some land, and leasing a third area, which land will be added to the station lease area, an additional 57 car parking spaces will be provided at the station under a Station Commercial Project Facility scheme funded by the DfT.

Passengers will benefit from the proposal; therefore Passenger Focus believes that it should be approved.

Regards,

6) Cotswold Line Promotion Group

@btinternet.com]

Dear

Cotswold Line Promotion Group is the user group for the line from Oxford through Worcester to Hereford. We have been campaigning for several years for increased car parking capacity at several stations on the line, with Pershore as a high priority. We have been impatient for the long discussed arrangement at Pershore to be agreed and the additional capacity implemented. The inadequacy of the present capacity at Pershore is acute, creates many problems of displaced parking in adjacent streets, and deters people from using the station. CLPG therefore warmly welcomes the proposal, and hopes that the additional capacity can be provided very quickly.

Yours

Cotswold Line Promotion Group

7) Northern Rail

@northernrail.org]

Dear

With reference to your email dated 16th July 2012. Northern Rail Ltd have no objections to the proposals with regard to Land Exchange adjoining Pershore Station.

Yours faithfully

8) First Great Western Limited

@firstgroup.com

Good afternoon

Thank you for consulting us.
First Greater Western supports this proposal.

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

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

9) Merseyrail Electrics 2002 Limited

@merseyrail.org]

Merseyrail have no comments or objections to the proposal.

Regards

10) GB Rail Freight Limited

I can confirm that GB Railfreight Ltd has no objection to the proposed land exchange at Pershore as detailed in your email and attachments of 16/07/12.

Regards
GBRf

11) C2C Rail Limited

@nationalexpress.com]

On behalf of c2c Rail Limited I confirm that we have no objections to this proposed disposal.

12) Rail FreightGroup

@rfg.org.uk]

no comment from Rail Freight Group,

Regards,

13) London & South Eastern Railway Limited (Southeastern)

@southeasternrailway.co.uk]

Southeastern have no comment on this proposal.

Regards

14) Freightliner Limited

@Freightliner.co.uk]

No comments from Freightliner

Regards

15) Chiltern Railway Company Limited

@chilternrailways.co.uk]

I have no comment to make on behalf of Chiltern Railways regarding this proposal.

Regards

16) Colas Freight

@colasrail.co.uk]

Hi

No objection

Kind regards

• Wimbledon - Building One, *West Goods Yard, Dundonald Road, Wimbledon, London, SW19 3QJ*

• M • @colasrail.co.uk • www.colasrail.co.uk

17) DP World

@dpworld.com]

No Comment.

DP World - London Gateway

Tel:

email address - @dpworld.com

18) Direct Rail Services Limited

@drsl.co.uk]

I would advise DRS have no objections to the proposal.

Direct Rail Services Limited
Kingmoor TMD
Etterby Road
Carlisle
CA3 9NZ

19) Wychavon District Council

Civic Centre, Queen Elizabeth Drive, Pershore, Worcs, WR10 1PT
(01386) 565000 www.wychavon.gov.uk DX 25934 Pershore



Our Ref: CJH/LM-L

20 July 2012

Network Operations
3 Floor, Temple Point
Redcliffe Way
Bristol
BS1 6NL



Dear

Consultation on proposed land disposal: Pershore Land Exchange

I refer to your consultation regarding the above.

This council, over a number of years has sought to secure additional parking at the station and welcome the proposed land swap in order to facilitate an additional 57 car parking spaces. In addition, it has been an aspiration for the Pershore Market Town Partnership for some time to have a better car park as part of the 'Better Welcome' for Pershore.

The Council, as the local planning authority, would welcome pre-application discussions prior to the submission of a planning application in order to address any particular detailed matters.

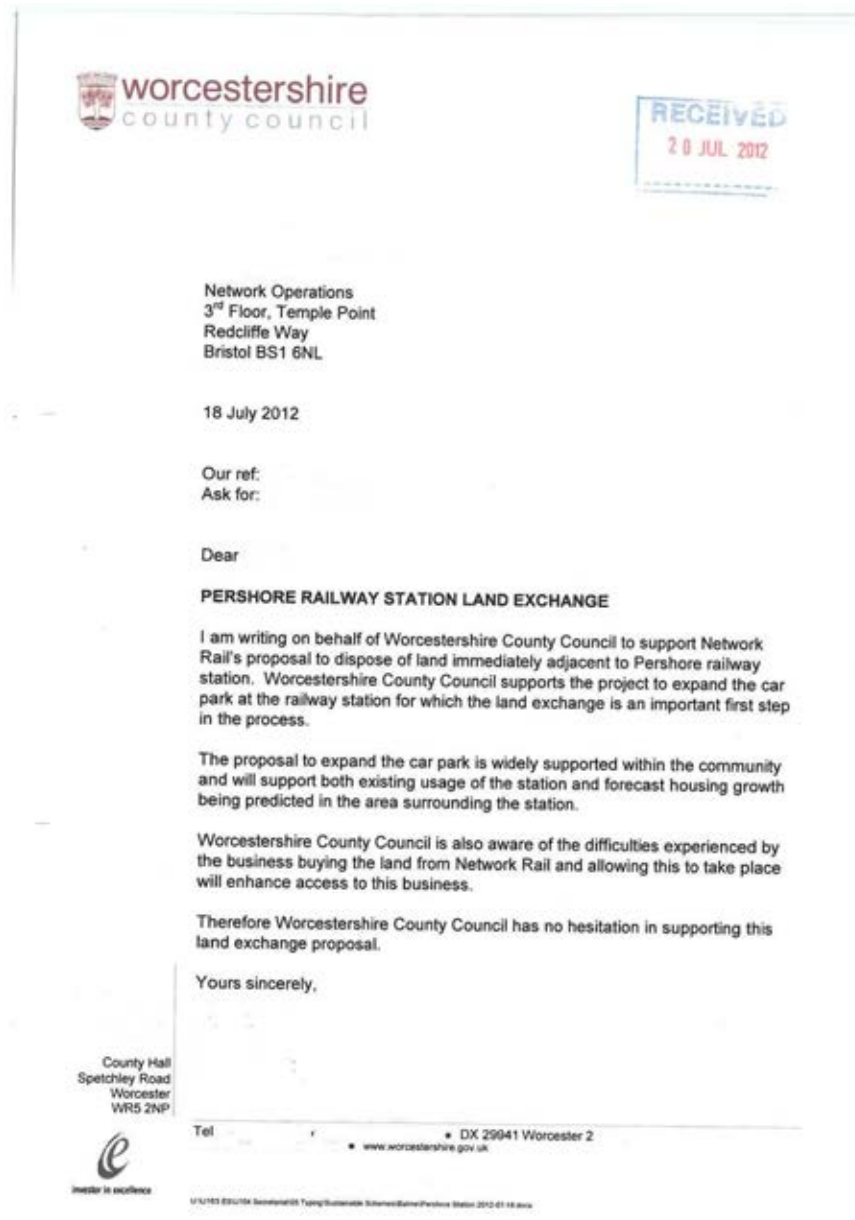
Finally, as you are aware the council has expressed an interest in running the car park and would welcome further discussions in due course.

Yours sincerely,

Cc:



20) Worcestershire County Council



21) Department for Transport

@dft.gsi.gov.uk]

I confirm that we have no comments to make on this proposal.

Telephone:

Office

Mobile:

22) Grand Central Railway

No response

23) DB Schenker

No response

24) Freight Transport Association

@fta.co.uk]

Apologies, we have no comment.

25) West Coast Railway Company

@aol.com

no comments

WCR

T

M

E @aol.com

26. British Transport Police

@btp.pnn.police.uk]

Good morning,

not sure of what has happened; you should have received a response from xxxxx, my business support officer. There were no objections to the plan below.