

Property Disposal – Specific Consent

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

1. Disposal			
Type of disposal	Leasehold for a term of 99 years		
Rationale for disposal	Relocation of an electricity substation in connection with the carrying out of an Access for All scheme for the benefit of passengers at Cheltenham Spa railway station.		
2. Clearance	Type	Reference	Date
Clearance Details	Stage 1 (business) clearance	CR/40353 (certificate no. 49104)	30 April 2019
	Stage 2 (technical) clearance	CR/40353 (certificate no. 50482)	18 July 2019
3. Site			
Description of property for disposal	Part of the land shown edged and hatched blue on the attached drawing no. 7378172-4 fronting onto Gloucester Road at Cheltenham Spa railway station at Cheltenham in the County of Gloucestershire, GL51 7AG		
Attached plans and photographs: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	<p>Drawing no. 7378172-3 showing: existing substation site; property and structure included in station lease, railway tracks and Network Rail's landownership.</p> <p>Drawing no. 7378172-4 showing: existing substation site; land a part of which it is proposed to lease to Western Power Distribution (West Midlands) plc; railway tracks and Network Rail's landownership.</p> <p>For photographs see Appendix 1</p>		

Ordnance survey coordinates	393229E 222119N
4. Proposal	
Proposed party taking disposal	Western Power Distribution (West Midlands) plc
Proposed use / scheme	<p>As part of an Access for All scheme at Cheltenham Spa railway station a new lift is to be provided at the station's Gloucester Road entrance.</p> <p>The works will encroach upon part of the land shown coloured red on the attached drawings no's 7378172-3 and 7378172-4, The red land is the site of an existing Western Power Distribution electricity substation which is understood to serve both the railway station and non-railway premises.</p> <p>It is proposed that the existing substation be removed and that Western Power Distribution (West Midlands) plc be granted a 99 year lease of part of Network Rail's land shown edged and hatched blue on drawing no. 7378172-4 as the site of a new replacement substation.</p> <p>Details of scheme are shown in the drawings which accompany this form and which are described in Appendix 2. (Note – these drawings should be regarded as illustrative only: the final design will include some changes to the details shown.)</p>
Access arrangements to / from the disposal land	Access to be direct from the public highway (Gloucester Road) adjoining the north-western boundary of the land.
Replacement rail facilities (if appropriate)	None.
Anticipated rail benefits	Enables an Access for All scheme to be undertaken at Cheltenham Spa railway station
Anticipated non-rail benefits	None
5. Timescales	

Comments on timescales	Completion proposed in 2020
6. Railway Related Issues	
History of railway related use	Land adjoining Cheltenham Spa railway station (formerly Cheltenham Lansdown railway station)
When last used for railway related purposes	The land is currently included in the lease of Cheltenham Spa railway station held by First Greater Western Limited.
Any railway proposals affecting the site since that last relative use	Not applicable – see above.
Impact on current railway related proposals	The relocation of the electricity substation is required in connection with an Access of All scheme at Cheltenham Spa railway station.
Potential for future railway related use	The relevant long term plan is the Western Route Study (2015): in terms of works to Cheltenham Spa railway station itself the only reference is to Access for All.

Any closure or station change or network change related issues	<p>The proposal is subject to First Greater Western Limited's agreement being obtained via station change and to:</p> <ul style="list-style-type: none"> a) the land to be leased to Western Power Distribution (West Midlands) plc being surrendered from First Greater Western Limited's station lease; and to, b) the existing electricity substation site being included within the station lease.
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	Small encroachment onto land currently regarded as being in the public highway (see section 11 below – Summary of position as regards external consultations)
Position as regards safety / operational issues on severance of land from railway	<p>The land lies outside of the wall to Cheltenham Spa railway station.</p> <p>The disposal is on a basis under which Network Rail has had due regard (where applicable) to the 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>

7. Planning History and Land Contamination

<p>Planning permissions / Local Plan allocation</p> <p>(if applicable)</p>	<p>The land is allocated in the Cheltenham Local Plan for mixed use development (Policy PUA).</p> <p>At present the land would be considered as operational railway land.</p>
<p>Contamination / Environmental Issues</p> <p>(if applicable)</p>	Some planting/vegetation has previously been cleared from the land – see the photographs in Appendix 1 which show the land as at August 2019. Earlier photographs are available on request.

8. Internal Consultation

Internal consultation

The relevant long term plan is the Western Route Study (2015): in terms of works to Cheltenham Spa railway station itself the only reference is to Access for All.

Network Rail internal stage 1 (business) and stage 2 (technical) clearance has been issued for the grant of a long lease with conditions/comments. These include (amongst others) conditions/comments relating to the following issues:

Technical issues such as concerning:

- a) Drainage & Network Rail drainage rights
- b) The carrying out of a detailed services survey to locate the position of both operational and utility services and the arrangements to be made should such services be found
- c) Existing easements
- d) Vehicle incursion, fencing, lighting & impact on signalling assets or signal sighting
- e) The clearance distance between boundary of site and the nearest running rail
- f) Fire safety
- g) The need for reserved rights for Network Rail to enter the land in defined circumstances
- h) The need for Network Rail to have reserved right of support

The arrangements to be made in connection with the proposed works

- a) Before to any development/construction or alterations to the site, site specific safety requirements, engineering technical review (i.e. methodology and design) and detailed conditions to be sought from Network Rail's Project Manager or/and relevant Engineer. The process for obtaining approval is outlined in Network Rail's web page <http://www.networkrail.co.uk/asp/1538.aspx>
- b) The works to be supervised by a NR project team and / or Asset Protection
- c) A schedule of condition to be prepared of all of Network Rail's operational property assets prior to the commencement of the works and any damage to them to be made good on completion
- d) All works to be undertaken in accordance with Network Rail Standards.

	<p>e) Any damage, defects or disruption to Network Rail's infrastructure or railway operations due to the works to be the responsibility of the outside party at their cost and at no cost to Network Rail.</p> <p>f) The outside party to provide Network Rail with an indemnity against any third-party claims arising</p> <p><u>The need for station change, changes to station lease and further liaison</u></p> <p>a) Agreed subject to GWR's agreement being obtained via station change and to entering into a deed of surrender to surrender the land from GWR's station lease and for the current area of the substation lease to be included in the station lease.</p> <p>b) The need to liaise with/obtain approvals from Route Asset Manager (Buildings), Asset Protection, Asset Protection, Station Portfolio Surveyor and GWR's operational team</p> <p><u>The arrangements at the end of the lease</u></p> <p>For copies of clearance certificates see Appendix 3.</p>
9. Local Authorities	
Names & Email Addresses:	<p>Cheltenham Borough Council Municipal Offices Promenade Cheltenham GL50 9SA</p> <p>Gloucestershire County Council Shire Hall Westgate Street Gloucester GL1 2TG</p> <p>For contacts in each authority see accompanying consultation report</p>
Local Transport Authorities:	Gloucestershire County Council

Other Relevant Local Authorities:	Not applicable
10. Internal approval to consult	
Recommendation:	<p>By proceeding to consult I am:</p> <ul style="list-style-type: none"> • 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.
11. External Consultation	
Summary of position as regards external consultations	<p>Details given in accompanying consultation report</p> <p>Gloucestershire County Council raised concerns regarding the encroachment of the proposed substation onto the public highway. Following this, Western Power Distribution changed the type of doors to be provided so as to reduce the extent of any encroachment. The proposal was subsequently accepted by Gloucestershire County Council (see section 17 in report).</p>
Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	Not applicable

12. Internal approval to dispose

Recommendation:	Based on the above, I recommend that Network Rail proceeds with the disposal.	
Declaration:	I have read and understood Network Rail's code of Business Ethics and Policy on Interests in Transactions	
Proposer's name:	Proposer's job title: Surveyor	
Signed.....	Date...23 July 2020	
Authorised by (name):	Authoriser's job title: Property Services Manager – Wales & Western	
Signed	Date 23 July 2020	