

East West Rail Consortium Strategic Board Tuesday 3rd March 2020

Agenda Item 5: Western Section: TWAO Update

Recommendation: It is recommended that the meeting note the report

1. Context

- 1.1. The permissions required to enable the Western Section of East West Rail to be taken forward were set out in a Transport and Works Act Order.
- 1.2. A Public Inquiry into the TWAO was held at the beginning of 2019. The EWR Consortium submission to the Inquiry set out its support for the scheme as set out in the Order. Martin Tugwell represented the Consortium at the Inquiry.

2. Decision Letter

- 2.1. The decision in respect of the TWAO was published at the beginning of February (shortly after the announcement on the preferred route for the Central Section).
- 2.2. The decision letter can be accessed using the following link [TWAO Decision Letter](#). A summary of key issues of interest for Consortium members is attached as Annex 1.

3. Consideration

- 3.1. The Consortium may wish to reflect on a number of the key messages arising from the Decision Letter, specifically:
 - a) The recognition that the scheme retains the ability to electrify the scheme in the future is to be welcomed. The work underway on the draft Transport Strategy for the EEH region (in which the Western Section sits) will look to balance the desire to realise the full economic potential of the region whilst achieving net environmental benefit. This is set within the context of the Government adopting legal targets to achieve net-zero carbon by 2050. It is also worth bearing in mind that the Government has previously committed to removing diesel locomotives from the network by 2040.

Electrification of the rail network will be a key priority moving forward given the national and regional policy context. The Consortium may wish to adopt a position that calls for delivery of East West Rail as a electrified railway.
 - b) It is interesting to note that the Secretary of State has commented on a benefit of the scheme being its ability to provide some relief to the local road network from unsuitable heavy freight. This ability is of course dependent upon the availability of paths for freight services.

The Consortium will recall that provision for rail freight on the Western Section is on the basis of current freight movements. The Consortium will recall that it part funded the EEH commissioned work on Freight and Logistics. It may wish to use this to work with the private sector to develop the case for providing an appropriate level of capacity for freight on across EWR as a whole.

- c) The previous meeting of this group agreed to provide funding to enable Oxfordshire County Council (and its partners) to undertake work that will identify options for a long term solution to the issue of London Road level crossing Bicester.
- d) This meeting should note that with regards to the crossings at Woburn Sands and Lidlington the Decision Letter sets out that the project defined in the TWAO can be delivered without the need to construct footbridges at either location.

4. Next Steps

- 4.1. With the TWAO confirmed by the Secretary of State, the EWR Alliance will move forward with delivery of the scheme. The next item on the agenda will provide Consortium members with an update on what means on the ground.
- 4.2. There are a number of issues – electrification and freight – that are strategic importance and which will be picked up through the on-going work on the EEH draft Transport Strategy. The Consortium will continue to have a key role in ensuring these issues are addressed as a matter of priority.

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Support for the Scheme and Future options such as Electrification

The Secretary of State notes that most representations did not question the need for the Scheme and there has been a significant level of support for it (IR 8.4).

The Inspector considered that the aim to provide for future demand and economic growth has been compromised by the need to reduce costs from the original proposals to ensure that the Scheme is affordable and economically viable.

The Inspector was satisfied that options remain open to provide in the future: electrification, increased platform lengths and improved capacity, if demand requires and the funding is available (IR 8.7).

The Secretary of State does not disagree with that assessment and further agrees with the Inspector's conclusions that the Scheme will meet the stated aims (IR 8.9).

Construction Traffic

The Secretary of State notes that some objectors expressed concern about the impact of construction traffic and that most of these concerns have been addressed by Network Rail.

The Secretary of State agrees that the evidence has demonstrated that Network Rail has taken all the available measures to minimise disruption to local residents as much as possible during the construction phase (IR 8.33).

The Secretary of State notes that the impact on the roads during the operation of the Scheme would be likely to be positive due to it increasing the capability of taking freight traffic off the roads, thus reducing reliance on the roads, some of which are unsuitable for heavy traffic (IR 8.34).

London Road level crossing, Bicester

The Secretary of State notes that most of the objectors' concerns about traffic during the operation of the Scheme are regarding the impact at level crossings due to additional barrier down time.

The Secretary of State notes Langford Village Community Association's objection which expresses concerns about the barrier down times at the London Road level crossing in Bicester, however, the Secretary of State agrees with the Inspector that to introduce a solution to resolve this concern would result in undue delays and costs to the Scheme and as such, agrees with the Inspector that a solution should not form part of the Order (IR 8.150).

Further, the Secretary of State agrees with the Inspector that the evidence provided by Network Rail has demonstrated that the adverse impact as a result of the barrier down time after the proposed mitigation would be insufficient to outweigh the overall benefits that the Scheme would provide to roads in the area (IR 8.35).

Bow Brickhill Level Crossing

With regard to concern about the potential highway impact of the Scheme on the level crossing at Bow Brickhill, the Inspector found that the congestion in the area is an existing problem which Network Rail has shown will not be made

materially worse by the proposed services that will be provided as part of the Scheme (IR 8.36).

The Secretary of State does not disagree with this conclusion.

The Secretary of State agrees with the Inspector that, in light of the beneficial impact that the Scheme will have on the roads, any resulting increase in congestion at localised areas along the route is justified.

Cumulative effects with HS2

The Secretary of State notes that the main concerns about the cumulative effects of the Scheme and HS2 are during the construction of these projects. The Transport Assessment, as reported in the Environmental Statement provides a detailed analysis of the impact of HS2 construction and operational traffic and an assessment of the HS2 interface with the Scheme.

None of the objectors provided evidence to oppose the findings of the assessment of the cumulative effects (IR 8.59) and NR have indicated that it will have a strategic integrated programme in place which will allow for the delivery of the Scheme and HS2 (IR 8.60).

The Secretary of State agrees that Network Rail has considered the impact from the cumulative effects of the Scheme and HS2 and has taken appropriate measures to adequately mitigate any significant harm, including from the construction traffic that would be generated by the two projects (IR 8.61).

Woburn Sands Crossing

The Secretary of State notes that the objections received regarding the closure of the Woburn Sands School Crossing were based on concerns that the alternative crossing at Station Road would not be safe for the number of people, particularly children that were likely to use it (IR 8.64).

The Inspector notes that the preferred option of a footbridge is not included within the Order and therefore cannot be considered as part of the Scheme.

The Secretary of State agrees that there is insufficient evidence to show that the proposed closure of the School Crossing and the use of the alternative route would result in a serious enough risk to pedestrian safety to justify any change to the Order (IR 8.65).

The Secretary of State further notes that during the inquiry, Woburn Sands Town Council accepted that a footbridge would be unable to be included in the Order and notes the Inspector's observation that the objection is capable of being resolved outside the terms of the Order, and as such the Secretary of State agrees that this objection carries limited weight against the making of the Order (IR 8.142).

Lidlington

With regard to the Lidlington School Crossing, the Secretary of State notes that Lidlington Parish Council's objection to the closure of the crossing, which is also the main remaining objection from Central Bedfordshire Council, is on safety grounds and diversion to use another crossing.

The Secretary of State agrees with the Inspector that there is no evidence to show that the proposed closure of Lidlington School Crossing, together with the closure of the South Piling Farm level crossing, would cause any significant

problems due to severance and therefore agrees that the proposed closure and diversion is justified.

He notes that at the Inquiry, the Council supported the replacement of the School Crossing by a footbridge. Whilst Network Rail has suggested that it would examine the case for a replacement footbridge the Secretary of State agrees with the Inspector that the proposed closure and diversion to use Station Road level crossing would be acceptable. (IR 8.67 and IR 8.143).

Buckinghamshire County Council Objections

The Secretary of State notes that BCC had adopted a similar stance to Natural England in respect of the level of survey information to support the proposed bat mitigation.

The Secretary of State understands that BCC has also argued for changes to the proposed ecology conditions to be attached to the Planning Direction, particularly regarding biodiversity net gain and the protection of barn owls.

For the reasons given in paragraph 48, the Secretary of State agrees with the Inspector that the proposed Condition 11 would secure Network Rail's commitment to net gain and would ensure the necessary measures are provided to adequately protect barn owls along the route.

Therefore, the Secretary of State is satisfied that any inadequacies in the surveying are resolvable and the concerns expressed by BCC do not carry enough weight to justify not making the Order. (IR 3.59, IR 5.51 to IR 5.62, IR 7.20 and IR 8.141)