

*TRANSPORT AND WORKS ACT 1992*

*TRANSPORT AND WORKS (INQUIRIES PROCEDURE) (ENGLAND  
AND WALES) RULES 2004*

*The Network Rail London To Corby (Land Acquisition, Level  
Crossing & Bridge Works) Order*

# ***Statement of Case of the Applicant***

## ***Network Rail***

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## GLOSSARY

ABBREVIATION	DEFINITION
Asset	Railway infrastructure which is affected by the project
Blockade	A blockade generally results in multiple consecutive days of closure of the railway
CPs	Control Periods  Network Rail receives funding in five year blocks, known as Control Periods
CP5	2014 – 2019
DfT	Department for Transport
EDP	Enhancement Delivery Plan The CP5 Enhancements Delivery Plan sets out the outputs, scope and milestones that Network Rail is committed to deliver in CP5
GCN	Great Crested Newt
The GDPO	the Town and Country Planning (General Permitted Development) Order 1995
GTR	Govia Thameslink Railway
HLOS	High Level Output Statement
ITSS	Indicative Train Service Specification
L2C	London to Corby
LTP	Local Transport Plan
MEWP	Mobile Elevated Working Platform
MML	Midland Main Line
MMLP	Midland Main Line Programme
the Network	The rail infrastructure network of Great Britain
Network Rail	Network Rail Infrastructure Limited
NPPF	National Planning Policy Framework
NPS	National Policy Statement for National Networks
NSIP	Nationally Significant Infrastructure Project
OLE	Overhead Line Equipment
The Order	Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order
ORR	Office of Rail and Road
the Project	The London to Corby Project
PSR	Permanent Speed Restriction
ROGS	Railways and Other Guided Transport Systems (Safety) Regulations 2006
The Route	Route of the programme (Bedford, Kettering, Wellingborough and Corby)
RRV	Road Rail Vehicle
SMS	Safety Management System
TOCs	Train Operating Companies
TTRO	Temporary Traffic Regulation Orders
TWA	Transport and Works Act 1992
TWAO	Transport and Works act 1992 Order
TWA Applications Rules	Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 S.I. 2006 No. 1466
TWA Inquiries Rules	Transport and Works (Inquiries Procedure) Rules 2004 S.I. 2004 No. 2018

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# 1 INTRODUCTION

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## 1.1 FOREWORD

- 1.1.1 On 22 June 2018 Network Rail Infrastructure Limited (Network Rail) applied to the Secretary of State for Transport to make the Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order (**NR 1**). The application was made under sections 1 and 5 of the Transport and Works Act 1992 (the TWA). Application document references **NR 1** to **NR 12** are referred to at the end of this section.
- 1.1.2 The purpose of the Order is to give Network Rail the necessary powers to compulsorily acquire land and interests in land, and to use land temporarily, in connection with the alteration and improvement of the Midland Main Line railway between London and Corby. The Order seeks powers to stop up the Souldrop level crossing (Grid Reference E:498273 N:261198) and create an alternative public right of way, and to reconstruct the bridge carrying Bromham Road over the Midland Main Line railway. It also seeks the necessary powers to construct, maintain, and operate the works authorised by the Order.
- 1.1.3 The work for which the Order seeks powers form part of the London to Corby Electrification and Capacity Upgrade (L2C) project, which includes the electrification of the Midland Main Line as referenced in the Secretary of State's High Level Output Statement (HLOS)<sup>1</sup> announcement of 15<sup>th</sup> July 2012 for Control Period 5 covering 2014-2019 (**NR 14**).
- 1.1.4 The L2C Project extends along the Midland Main Line from St Pancras Station to Corby Station. The powers being sought under the Order (the 'Order Scheme') are limited to specific locations along the route between Bedford and Corby, as illustrated in **Figure 1**.

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<sup>1</sup> Every five years the Office of Rail Regulation (ORR) conducts a Periodic Review which forms the basis of each five year Control Period. For the purpose of the Periodic Review, the Railways Act 2005 requires the Secretary of State for Transport (for England and Wales) and Scottish Ministers (for Scotland) to present to the ORR a specification of the high level outputs (HLOS) they want the railway to provide, and a statement of funds available (SoFA). ORR must then determine the outputs that Network Rail must deliver to achieve the HLOS, the cost of delivering them in the most efficient way, and the implications for the charges payable by train operators to Network Rail for using the railway network.

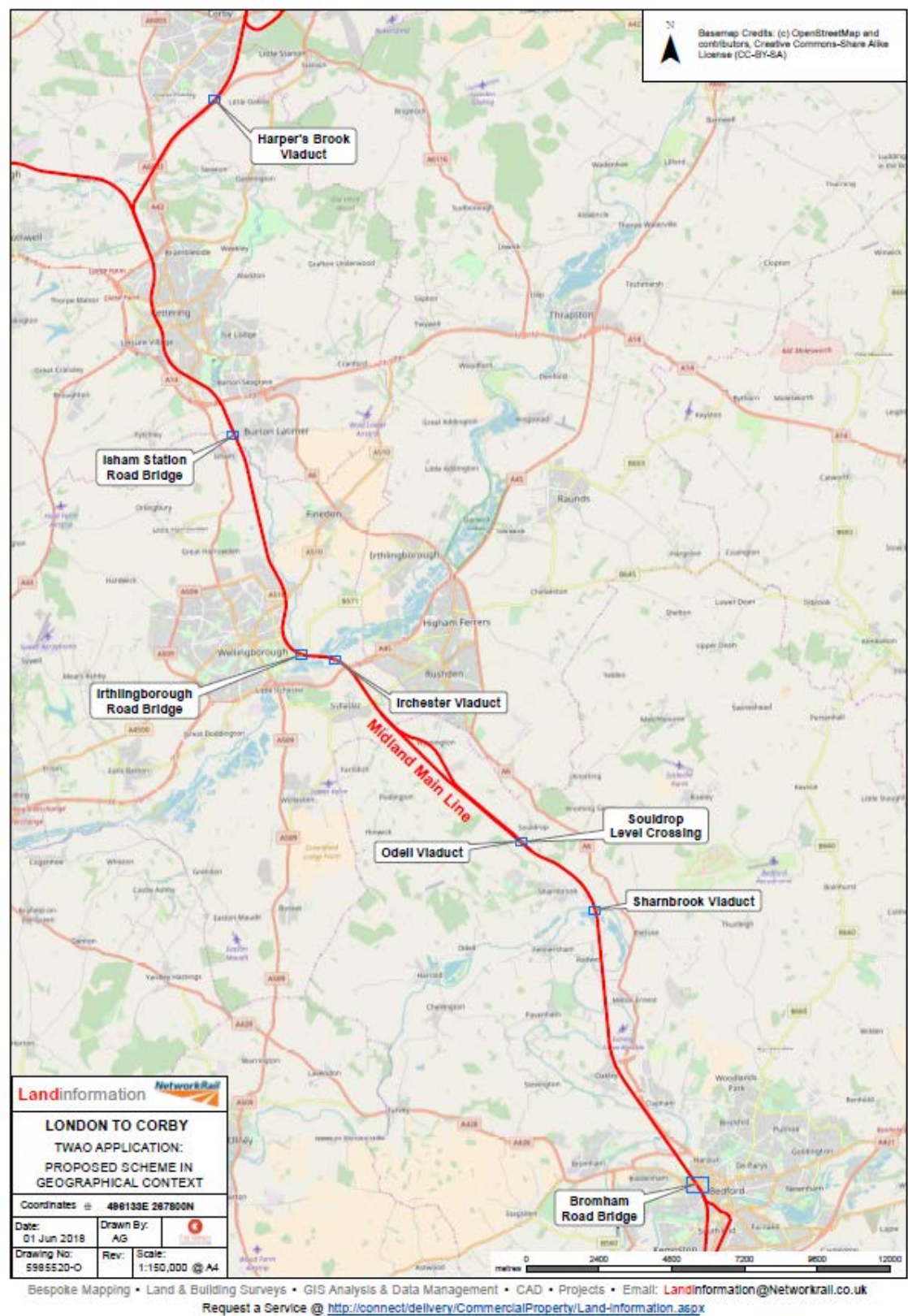


Figure 1 – TWAO Locations in Geographical Context



## 1.2 OVERVIEW OF THE PROJECT

1.2.1 The Midland Main Line (MML) is part of the strategic rail network and plays a key role in enabling economic, environmental and community benefits at national, regional and local level. It serves a diverse set of markets for rail services including inter-regional, commuter, long distance and freight.

1.2.2 The Department for Transport's (DfT) business case for the L2C project is formed from a wider Midland Main Line Programme (MMLP) business case. This programme, designed to contribute to the objectives set in the Government's commitment to rail infrastructure and aligned to the DfT's own strategic objections, achieves the following outcomes

- Delivering shorter journey times into St Pancras;
- Increasing passenger capacity into St Pancras and to regional stations through the addition of a 6th path;
- Improving performance and passenger experience through the procurement of electric rolling stock;
- Reducing operating costs and environmental impact through electrification of the line to Corby, Nottingham, Derby and Sheffield; and
- Increasing freight capacity

1.2.3 The L2C project ('the Project'), of which the TWA Order scheme forms a part, aims to deliver the following:

- Installation of an additional slow line between Sharnbrook Junction and Kettering South Junction along with all associated signalling, telecoms, earthworks and structures works, to provide a four track section to allow 6 passenger services and 3 freight services per hour in each direction;
- Installation of overhead line equipment (OLE) infrastructure between Bedford South Junction (fast lines) Bedford Station (slow lines) to Corby;
- Provision of connections to the National Grid and other associated works (e.g. substations and distribution sites);
- Provision of W6a/7 to W12 gauge clearance between Bedford South Junction to Corby (excluding Platform 4 at Bedford Station);
- Provision of new infrastructure to a maximum line speed of 90 mph (noting existing infrastructure will remain at its published permanent speed restriction (PSR));

- Provision of axle weight clearances between Sharnbrook Junction and Kettering South Junction of RA10 at 60mph and RA8 at 90mph (up to permissible line speed) on the new slow line;
- Provision of the means to call 240m trains at the following stations: Bedford, Wellingborough, Kettering and Corby;
- Provision of an electric stabling facility at Kettering; and
- Closure of the Souldrop Level Crossing over the Midland Main Line at Souldrop and extinguishment and diversion of the public footpath that currently passes over the crossing.

1.2.4 The wider MMLP includes other projects in addition to L2C, such as the Market Harborough Line Speed Improvement Project, and the Derby Resignalling project, which collectively deliver the benefits of the MMLP, which are further detailed in Section 5. Without delivery of L2C, these benefits would not be realised.

1.2.5 The works involved in delivering the L2C project include: the reconstruction of 30 bridges over the railway in order to enable gauge clearance and OLE infrastructure to pass safely beneath the bridge; building longer platforms at 4 stations along the route (Bedford, Kettering, Wellingborough and Corby); laying new track and associated signalling equipment; and installing new substations for power distribution and associated connections to the National Grid.

1.2.6 The majority of these works fall within permitted development rights under Part 8a and Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) (**NR 19 & NR 20**). Section 2.3 further details the legislative position. A Summary of Consent Applications for the L2C project is available in **NRD1**.

1.2.7 Some of these works require the acquisition of land and rights over land, most of which have been successfully negotiated with landowners by agreement. Whilst negotiations are ongoing, agreement with landowners has not been possible to date at:

- Bromham Road Bridge
- Souldrop Level Crossing
- Irthlingborough Bridge
- Isham Station Road Bridge
- Sharnbrook Viaduct
- Irchester Viaduct
- Harpers Brook Viaduct

- 1.2.8 Without powers under the Order, it would not be possible to reconstruct 3 bridges over the railway, install OLE infrastructure at 3 viaducts and close a level crossing. As a consequence, delivery of the L2C project would not be possible, and thus the benefits of the MMLP would not be realised.
- 1.2.9 Following extensive consultation prior to submission of the application for the Order (see Section 10), the statutory representation period ended on 3<sup>rd</sup> August 2018. The Department for Transport (DfT) received 16 letters of objection and 3 letters of representation.
- 1.2.10 As a consequence of those objections, and in accordance with the Transport and Works (Inquiries Procedure) Rules 2004 SI No. 2018 (the TWA Inquiries Rules) (**NR 15**) the Secretary of State for Transport announced on 12 August 2018 his intention to hold a local public inquiry into the application. The inquiry is likely to take place in spring 2019.
- 1.2.11 The TWA Inquiries Rules require Network Rail to provide a Statement of Case. This document is Network Rail's Statement of Case which contains a summary of the case Network Rail intends to make in support at Inquiry of its application for the Order.
- 1.2.12 The list of documents in Appendix 1 is a list of the documents to which Network Rail currently intends to refer, or put in evidence at Inquiry. These documents are available for public inspection at the locations and times set out in this appendix.
- 1.2.13 In this Statement of Case, references to documents included in Appendix 1 are shown in **bold** font.
- 1.2.14 This Statement of Case is structured as follows:
- Section 1 Introduction
  - Section 2 The Application
  - Section 3 Funding Statement
  - Section 4 Land and Property Requirements
  - Section 5 The Case for the Project
  - Section 6 Planning and Transport Policy Context and Appraisal
  - Section 7 Project Delivery
  - Section 8 Environmental Effects
  - Section 9 Project Safety

- Section 10 Consultation
- Section 11 Issues Arising from Consultation

## 2 THE APPLICATION

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### 2.1 THE APPLICANT AND THE RAIL INDUSTRY STRUCTURE

- 2.1.1 Network Rail owns and operates the rail infrastructure of Great Britain (the network). Its purpose is to deliver a safe, reliable and efficient railway for Great Britain.
- 2.1.2 Network Rail is primarily responsible for maintenance, repair and renewal of track, stations, signalling and electrical control equipment. Train services on the network are operated by Train Operating Companies (TOCs) to which Network Rail, as facility owner, grants rights to use the network in the form of track, station, and depot access contracts approved by the Office of Rail Regulation (ORR).
- 2.1.3 The activities of Network Rail as network operator are regulated by the ORR by means of a network licence **(NR 16)** granted under section 8 of the Railways Act 1993 **(NR 17)**. The network licence requires Network Rail to secure the renewal and replacement of the network, and the improvement, enhancement and development of the network, in each case in accordance with best practice and in a timely, economic and efficient manner so as to satisfy the reasonable requirements of persons providing services relating to railways and funders in respect of the quality and capability of the network.
- 2.1.4 As the infrastructure manager, Network Rail is also under a duty as regards the safety of the network, principally under The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS) **(NR 18)**. The ROGS implement the EU Railway Safety Directive and require that any Infrastructure Manager or railway operator on the mainline railway must maintain a Safety Management System (SMS) and hold a safety certificate or authorisation indicating that the SMS has been accepted by the relevant safety authority, before being allowed to operate.

## 2.2 THE APPLICATION DOCUMENTS

2.2.1 The application for the Order (**NR 1- NR 12**), and associated deemed planning permission comprises the following documents as required by the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006:

- NR 01 TWA Application to SoS for Land Acquisition Order
- NR 02 The Draft Order
- NR 03 Explanatory Memorandum
- NR 04 Statement of Aims
- NR 05 Report Summarising Consultations Undertaken
- NR 06 Funding Statement
- NR 07 Estimate of Costs
- NR 08 Screening Decision Letter
- NR 09 Request for Planning Permission
- NR 10 Planning Drawings
- NR 11 Land, Works and Rights of Way Plans and Sections
- NR 12 Book of Reference

## 2.3 THE LEGISLATIVE POSITION

2.3.1 The Order would:

- confer powers of compulsory acquisition on Network Rail to acquire land, and rights over land, and to use land temporarily in connection with works authorised under existing powers
- confer powers to construct the works in connection with Bromham Road Bridge in Bedford (together referred to in the Order as the authorised works)
- authorise the closure and diversion of Souldrop level crossing.

2.3.2 The Order provides for compensation for compulsory acquisition of land or use of land, and the rights of statutory undertakers to maintain their apparatus are not affected.

2.3.3 **Table 1** sets out the consenting regime for the L2C Project as a whole, of which the Order Scheme is a part. The footprint of the Order Scheme includes the physical extent of the permanent works, together with land required temporarily to construct the permanent works; this footprint is referred to as the Scheme Area and is delineated by the Scheme Boundary.

CONSENTING REGIME	WORKS
The Order	<ul style="list-style-type: none"> <li>• The Bromham Road Bridge works</li> <li>• Acquisition of land, and rights over land, and to use land temporarily in connection with the reconstruction of bridges over the railway, and installation of OLE infrastructure on viaducts, within the Scheme Boundary</li> <li>• The closure and diversion of Souldrop level crossing.</li> </ul>
Permitted development	<ul style="list-style-type: none"> <li>• Maintenance and renewal of existing assets within the Scheme Boundary, including reconstruction of bridges over the railway, attaching OLE infrastructure to viaducts, extension of platforms at Stations</li> </ul>
Planning Consent / Prior approvals	<ul style="list-style-type: none"> <li>• Extension of platforms at Stations beyond the existing Station limits</li> <li>• Deemed planning consent for Bromham Road Bridge Works</li> </ul>
Temporary Traffic Regulation Orders (TTRO)	<ul style="list-style-type: none"> <li>• Temporarily undertaking stopping up, street works and diversion of Highway and public rights of way, in connection with the reconstruction of bridges over the railway within the Scheme Boundary</li> </ul>

**Table 1: Consenting Regime for L2C Project**

2.3.4 The works to be authorised by the Order and the deemed planning consent are the Bromham Road Bridge works. This bridge has insufficient clearance to allow OLE infrastructure to safely pass beneath, and therefore needs to be demolished and reconstructed.

## 2.4 PLANNING PERMISSION

2.4.1 Network Rail has applied to the Secretary of State for Transport, under section 90(2A) of the Town and Country Planning Act 1990 (**NR 21**), for deemed planning permission for the works required for the reconstruction of Bromham Road Bridge which are proposed to be authorised by the Order.

2.4.2 The Request for Deemed Planning Permission (**NR 09**) is intended to be granted subject to the proposed planning conditions which are set out in Schedule 1 to the request submitted with the Order application. These planning conditions were prepared by Network Rail in consultation with Bedford Borough Council.

2.4.3 The Bromham Road Bridge works to be authorised under the Order and deemed planning permission are summarised in Section 2 and set out in detail in Section 7.

- 2.4.4 Further works required for the purposes of the L2C project are alterations and improvements of the railway authorised by the various local Acts which conferred powers for the original construction of the railway and powers to alter and improve the railway from time to time. These Acts are listed in Schedule 1 to the Order. The works are all within the limits of the Act shown on the plans deposited with these Acts.
- 2.4.5 As works authorised by a local Act of Parliament they enjoy permitted development rights under Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) (**NR 20**). Accordingly no application for planning permission will be required for the works. In so far as the works comprise construction or alteration of buildings or bridges, or formation, laying out or alteration of an access to the highway, detailed plans and specifications will require prior approval from the local planning authority. Detailed plans and specifications will be submitted for the other relevant elements of the works following detailed designs in due course. However, the principle of the works has already been established and the local planning authority's role is limited to the approval of plans and specifications therein.
- 2.4.6 Accordingly there is no need for the Order to authorise these further works or to be accompanied by a request for deemed planning consent for the works. In respect of these works, the Order is limited to authorising the acquisition of land and rights over land, and the temporary occupation of land which is required in order to construct, maintain and operate the works. As the Order is not authorising this development there is no requirement for the application to be accompanied by an environmental statement in respect of the works. The relevant local planning authorities have issued screening opinions concluding that environmental impact assessment will not be required in relation to the applications for approval of plans and specifications of the works under GPDO.
- 2.4.7 In relation to the development which is authorised by the Order, the reconstruction of the Bromham Road Bridge, the Secretary of State has issued a screening opinion determining that environmental impact assessment is not required (**NR 08**).
- 2.4.8 Between 2013 and 2018, Network Rail has made applications to Bedford Borough Council, Corby Borough Council, Kettering Borough Council, and the Borough Council of Wellingborough, for 19 applications in total for prior approval for permitted development for the reconstruction of bridges over the railway, and 2 planning applications in relation to power & distribution substations (**NR D1**).



## **2.5 SCOPE OF THE APPLICATION**

- 2.5.1 The L2C Project seeks to fulfil the High Level Output Statement (HLOS) requirements (**NR 14**) within the constraints of cost and time.
- 2.5.2 In order to deliver the L2C project, rights over third party land or acquisition of land will be required to undertake physical works. Without an existing mechanism in place to obtain all third-party consents should mutual agreement not be possible, Network Rail seeks compulsory powers to undertake elements of its work to or on third party infrastructure as outlined below.

## **2.6 RAILWAY OVERBRIDGES: ODELL VIADUCT, IRTHLINGBOROUGH ROAD BRIDGE & ISHAM STATION ROAD BRIDGE**

- 2.6.1 Third party land acquisition is required for the reconstruction of three railway overbridges within the Order Scheme, to enable safe clearance for overhead line equipment required for electrification of the Midland Main Line. These overbridges are: Odell viaduct, Irthlingborough Road Bridge and Isham Station Road Bridge.
- 2.6.2 Additional land and rights are required to build up the bridge embankments and approach roads to align with the (higher) reconstructed bridge deck, to provide temporary compounds for construction activities, and to accommodate the use of cranes, which would be over sailing third party land.
- 2.6.3 Since making the application for the Order, Network Rail has continued engaging with landowners at these locations. In the case of Odell Viaduct, agreement has now been reached with the relevant landowners, and Network Rail will be able to access land required to reconstruct this structure from Sharnbrook Road Bridge to the South. This is in accordance with the terms of a standard licence agreed between Network Rail and affected land owners. Network Rail no longer requires powers under the Order to reconstruct Odell Viaduct, and has notified the Transport and Works Act Orders Unit on 21<sup>st</sup> September 2018 of Network Rail's intention to withdraw all land requirements in respect of Odell Viaduct from the Order, and will in due course provide a revised draft Order reflecting this position.

## **2.7 RAILWAY VIADUCTS: HARPER'S BROOK VIADUCT, IRCHESTER VIADUCT AND SHARNBROOK VIADUCT**

- 2.7.1 In order to enable electrification of the railway at three railway viaducts (Harper's Brook Viaduct, Irchester Viaduct and Sharnbrook Viaduct), it will be necessary to install overhead line equipment (OLE) on the exterior of these structures.

2.7.2 OLE equipment generally includes overhead conductors with a copper contact wire suspended from steel masts, which are mounted upon concrete foundations along the track. However, at locations such as viaducts, the masts need to be attached to the exterior of the structures, and will fall within the airspace of adjoining landowners. The Draft Order therefore authorises the acquisition of rights to enable the OLE to be attached in the airspace up to 3 metres from the outside edge of each of the viaducts.

## **2.8 BROMHAM ROAD BRIDGE**

2.8.1 Bromham Road Bridge lies in the centre of Bedford, to the north of Bedford Central station. It is a two span brick arch bridge carrying the 2-lane single carriageway Bromham Road over the Midland Main Line. The structure is owned and maintained by Bedford Borough Council.

2.8.2 This bridge has been identified as having insufficient clearance for overhead line equipment (electrified wires carrying 25,000 volts) to safely pass beneath it, and therefore the bridge needs to be demolished and then reconstructed, in order to accommodate the electrification of the Midland Main Line. In order for this to take place, Network Rail will need to secure deemed planning permission and additional land rights over residential and commercial land adjacent to the bridge in order to carry out the necessary works.

2.8.3 The existing brick arch deck structure will be demolished to approximately half way down the existing brick bridge piers. The new bridge will consist of pre cast reinforced concrete beams to form the deck and pre cast reinforced concrete parapets. The new bridge deck will sit on pre cast reinforced concrete cill and riser units that are mounted on the existing brick piers.

2.8.4 Construction of a temporary footbridge will be required to enable pedestrian access and the provision of utility services whilst Bromham Road Bridge is out of use. The temporary footbridge will be located to the North of the existing bridge, and will be in place for the majority of the works

2.8.5 The main construction compound and crane access will be located in the car park at Bedford Railway Station which lies in close proximity to the South East corner of the bridge. The compound will include the main site cabins and offices.

2.8.6 A lay down area for materials and delivery of construction units will be situated to the south of the main compound and also within the car park at Bedford Station.

## 2.9 SOULDROP LEVEL CROSSING

- 2.9.1 In order to facilitate the closure of the railway crossing over the Midland Main Line railway line at Souldrop, Network Rail is proposing to stop up a section of the existing footpath (Public Footpath No. 2 Knotting and Souldrop) over Souldrop Level Crossing and create a new section of public footpath that diverts pedestrians to Back Lane, (postcode MK44 1EX) (**Figure 2**).
- 2.9.2 The Order Scheme would permanently close Souldrop Level Crossing for reasons of safety (further details of safety risks at level crossings are available in Section 2.10). The lines at this Crossing are to be electrified as part of the L2C Project. The electric trains will be quieter and have infrastructure that is inherently more dangerous to the public if they are nearby. Currently there are two tracks on the fast lines at this location and a single bi-directional track on the slow line. As part of the proposals to improve the services the slow line will be increased to two track as well as being electrified.
- 2.9.3 The proposal diverts existing users of the crossing over a newly created footpath which joins an existing bridleway. Closing the crossing removes the risk of people interacting with such a fast and busy stretch of railway. A census in 2016 found that Souldrop crossing is used by an average of two pedestrians per day, which is relatively low. As this is a diversion a new footpath will be created which keeps the existing PROW network connected and allow users wishing to enjoy a circular walk from the village of Souldrop a means of walking in a loop.
- 2.9.4 The new section of footpath takes people through mature woodland. Approximately 75 metres of footpath will be removed and 190 metres added with a large section of that already used as a permissive footpath.
- 2.9.5 The proposal is to create a diversionary route. A bridge at this location would not be practical due to the physical constraints of the site with two sets of running lines at different levels. In combination with the physical issues there is the issue of the costs involved to the public purse. Installing Miniature Warning Lights (MWL) or VAMOS lights would be extremely expensive considering the usage of the crossing, the need for two sets due to the two separate lines and the fact they can be ignored by users of the crossing.

## **2.10 LEVEL CROSSINGS & SAFETY**

- 2.10.1 Network Rail is legally responsible for safety on and around the railway, including at level crossings. This means that where the highway and rail networks interface, Network Rail is required to protect both the public using roads or public rights of way from the dangers of the railway, and users of the railway network, so far as reasonably practicable.
- 2.10.2 As is recognised by the Office of Rail and Road (ORR), Great Britain's level crossing safety record is among the best in the world, but every incident has the potential for significant human and economic loss. Level crossings are the single biggest source of catastrophic risk on the railway. The ORR notes that the closure of level crossings is the most effective way of reducing this risk, removing the interface between trains and highway users entirely.
- 2.10.3 The ORR's strategy for regulation of health and safety risks at level crossings (**NR 25**) makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention enacted in legislation through the Management of Health at Safety at Work Regulations 1999 (**NR 24**).
- 2.10.4 Network Rail has set itself the objective of reducing level crossing risk by 25% by 2019, and has established a long term strategy to deliver this objective (**NR 22**). Whilst closure of level crossings has been proven to be the most effective way of removing risk from the network, reduction in level crossing risk may also be achieved by enhancing level crossings, or by limiting those who are entitled to use them. Level crossing closures may also result in the reduction of operating costs and assist the scope for enhancement of rail capacity—faster and more frequent trains—in association with other projects, furthering Network Rail's statutory duties in these respects.

## **2.11 THE RISK AT SOULDROP LEVEL CROSSING**

- 2.11.1 The ORR recommends that on lines where trains travel over 100mph, whistle boards are only effective when 400yds away. Trains on the fast lines (reference SPC2 - the lines that are of a higher elevation than the single, slower line) travel at 110mph. The position of the whistle boards at this crossing are 488yds on the downside and 472yds on the up. Train drivers are responsible for sounding train whistles as they pass the boards. The ORR acknowledges that 10% do not sound the whistle when they should. The whistle board warning time on the 'Up' line is less than pedestrian traverse time by 0.83 seconds. The whistle board warning time on the 'Down' line is less than pedestrian traverse time by 0.55 seconds.

2.11.2 The approaches to the Souldrop crossing are very steep as is the section between the two lines.

2.11.3 A total of 134 passenger train services a day use the fast line. These pass the crossing at 110mph. 40 freight services also use the line per day and travel at a slower speed of 75mph and are much longer. The difference in speed can lead to the public misjudging the time required to cross. The slower line has 34 freight trains a day.

2.11.4 Sighting at the crossing is deemed sufficient in ideal weather conditions (although the minimum of 443 metres is only just met on the 'Up' side at 446 metres), however this is drastically reduced in poor weather conditions leading to an increased risk to members of the public.

## 3 FUNDING STATEMENT

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### 3.1 OVERVIEW

- 3.1.1 The anticipated final cost of the L2C project is approximately £1.017Bn.
- 3.1.2 Network Rail is funded by the UK government in five year blocks, known as Control Periods (CPs). Network Rail is required, under the terms of its Network Licence, to publish a delivery plan that sets out its obligations for enhancement projects. The Enhancement Delivery Plan (EDP) details the outputs, scope and milestones for every project that Network Rail is committed to deliver during the five year period.
- 3.1.3 The project is referenced within the CP5 EDP (2014 to 2019) (**NR 26**). The project was subject to re-evaluation by the Hendy Review (the report from Sir Peter Hendy to the Secretary of State for Transport on the re-planning of Network Rail's Investment Programme), published in November 2015 (**NR 27**).
- 3.1.4 In September 2017 the Secretary of State for Transport approved the Full Business Case for the project and the Network Rail Board approved the final investment decision. This met the criteria of the Memorandum of Understanding between the Department for Transport and Network Rail on rail enhancements. Therefore the project is considered to be fully funded.
- 3.1.5 The authorised funds will meet the capital cost of implementing the proposed Order, inclusive of compensation and acquisition of blighted land as identified within section 149 of The Town and Country Planning Act 1990.

## 4 LAND AND PROPERTY REQUIREMENTS

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### 4.1 INTRODUCTION

- 4.1.1 The Order, if approved, will confer on Network Rail the power to compulsorily acquire the land, or rights over land, needed to construct and operate the altered railway.
- 4.1.2 The majority of the works will be contained within land which is already within the freehold ownership of Network Rail, but it will be necessary to permanently and temporarily acquire or use several small areas of land which are in private ownership.
- 4.1.3 Land and property will be acquired or used for the project in a number of different instances, including:
- Permanent acquisition of land and property
  - Temporary possession of land;
  - Temporary possession of airspace;
  - Temporary possession of land and airspace;
  - Acquisition of rights;
  - Extinguishment of rights;
  - Acquisition of temporary rights;
  - Temporary possession of land and extinguishment of rights;
  - Acquisition of rights and temporary possession of airspace.
- 4.1.4 All areas of land and property rights sought in the draft Order are necessary for the Order Scheme and no land will be acquired either permanently or temporarily unless essential for the construction, operation or maintenance of the Order Scheme. In all areas, Network Rail is seeking to acquire the necessary land and rights by negotiation, and will only rely on the powers in the Order where it is not possible or practicable to reach agreement. All references to plots are to be read in conjunction with the Order Land Plans (**NR 11**) that accompanied the draft Order.

## **4.2 TEMPORARY ACCESS OVER OR OCCUPATION OF LAND AND PROPERTY AND/OR AIRSPACE**

4.2.1 Powers of temporary access or occupation are required in relation to land which is needed for construction purposes, but which is not required for the future operation or maintenance of the scheme.

4.2.2 These purposes include provision of access, storage or fabrication areas, sites for large plant such as cranes, safety zones around the works or site offices and accommodation facilities. Temporary land take outside Network Rail's ownership will be over the following plots:

- Bromham Road Bridge plots 101,102,105,106 107, 108, 109, 110, 111, 112, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 134, 135, 137, 138, 139, 140 and 141
- Odell Viaduct plots 301, 302, 303,304, 305, 305, 306, 307, 308, 309, 310, 311 and 312. These plots have now been withdrawn from the Order as agreement has been reached with relevant landowners to enable the reconstruction of this bridge.
- Souldrop Level Crossing plots 404, 405 and 406
- Irthlingborough Road plots 601, 602, 603, 604, 607, 610, 611, 613, 614, 615, 617,618, 619, 620, 622, 623, 628, 632, 633 and 634
- Isham Station Road plots 701, 702, 704, 705, 706, 710, 711, 713, 714, 715, 716, 717, 718 and 719

## **4.3 PERMANENT LAND TAKE**

4.3.1 Permanent acquisition of land and property is required for those areas that will be needed for the scheme's permanent structures, operation or maintenance.

- Bromham Road Bridge plots 103, 104, 113, 114, 115, 116, 117, 133 and 136
- Irthlingborough Road plots 605, 606, 608, 609, 612, 616, 621, 624, 625, 626, 629, 630 and 631
- Isham Station Road plots 707, 709

## **4.4 PERMANENT ACQUISITION OF RIGHTS OVER LAND AND PROPERTY**

4.4.1 Permanent acquisition of rights over land and property is required where land does not need to be acquired, but rights are necessary to use the land, for example to install and maintain diverted utility apparatus. Plots where permanent acquisition of rights have been identified in the Order (as applied for) are as follows:

- Bromham Road Bridge plot 135
- Sharnbrook Viaduct plots 201, 202, 203 and 204



- Irchester Viaduct plots 501, 502, 503 and 504
- Irthlingborough Road plots 601 and 602
- Harper's Brook Viaduct plots 801, 802, 803 and 804
- Isham Station Road plots 703, 705 and 719

#### **4.5 EXTINGUISHMENT OF RIGHTS**

4.5.1 Extinguishment of rights over land will be required only to the extent required to divert an existing footpath, as explained in [cross-reference to section above which explains that these may be withdrawn from the Order].

- Souldrop Level Crossing plots 401, 402, 403 and 404

#### **4.6 HIGHWAY TO BE PERMANENTLY STOPPED UP**

4.6.1 Powers are required to permanently stop up a section of the existing footpath (Public Footpath No. 2 Knotting and Souldrop) over Souldrop Level Crossing and create a new section of public footpath that diverts pedestrians to Back Lane, (postcode MK44 1EX), in order to enable the closure of Souldrop level crossing.

4.6.2 As seen in **Figure 2**, it is proposed that:

- Footpath Knotting & Souldrop No. 2 to be stopped up between points A & B
- New footpath to be provided between points A and C

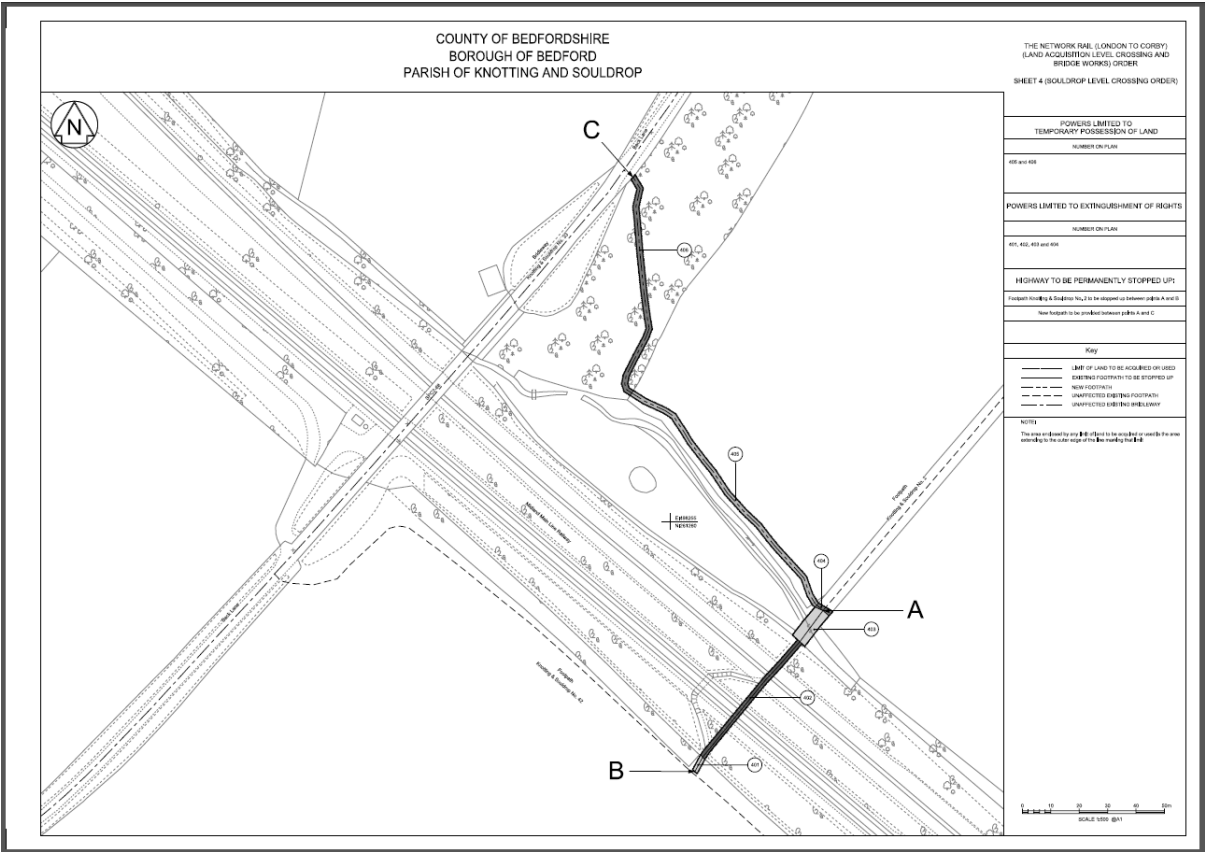


Figure 2: Overview of proposals at Souldrop Level Crossing

4.7 EXISTING COMPENSATION CODE

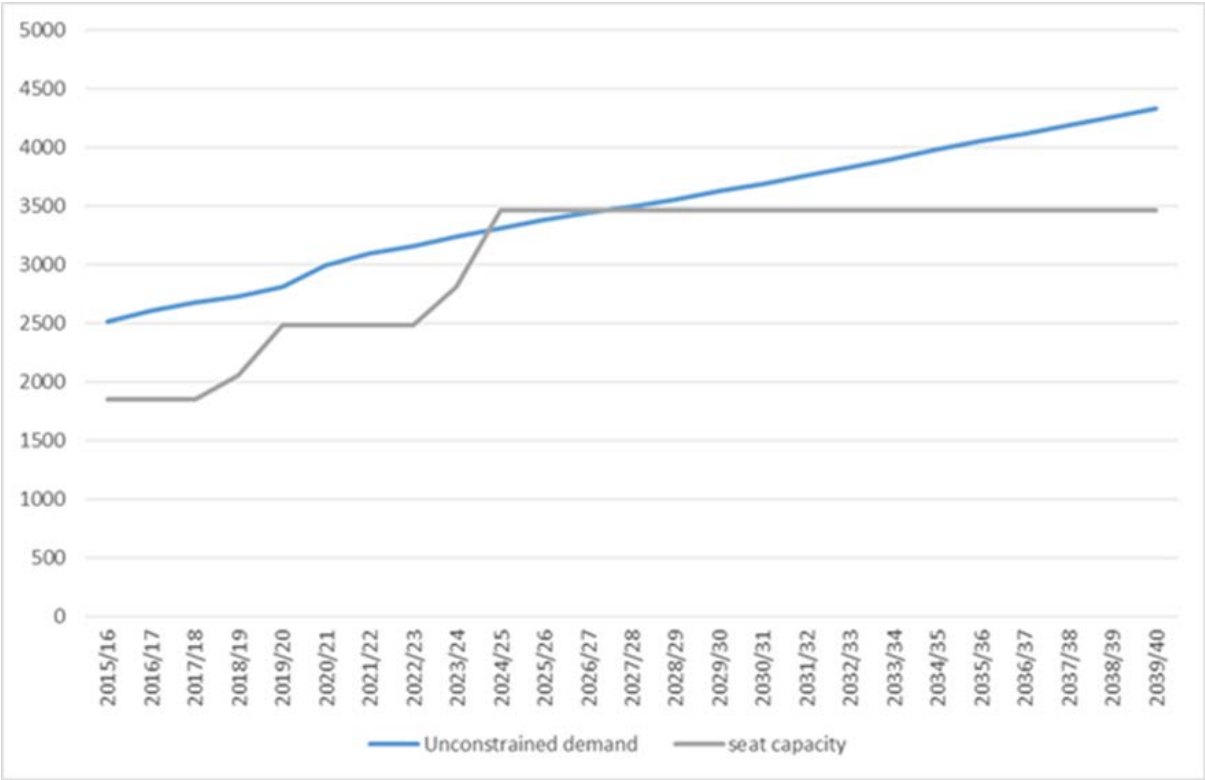
- 4.7.1 Landowners who have land or an interest in land acquired from them either temporarily or permanently will be entitled to compensation, and landowners whose property is affected by the works may also be entitled to compensation in certain circumstances.
- 4.7.2 The Order applies Part 1 of the Compulsory Purchase Act 1965 which, through its application, has the effect of requiring Network Rail to pay compensation to qualifying parties under what is known as the Statutory Compensation Code. The Code as it now stands is an amalgamation of numerous Acts of Parliament and legal precedents that have evolved over 150 years.

## 5 THE CASE FOR THE PROJECT

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### 5.1 THE PROJECT BACKGROUND

- 5.1.1 The Government has committed to a continued programme of investment in rail to meet projected increases in demand from passengers and freight. Rail passenger numbers have doubled over the past twenty years and the demands for both passenger and freight journeys are forecasted to keep growing. Although more trains are running than ever before, growth in passenger numbers is outstripping supply.
- 5.1.2 The Government has committed to carbon emission, greenhouse gas and air quality targets. These commitments are reflected in the DfT's strategic objectives, namely to:
- Boost economic growth and opportunity;
  - Build a One Nation Britain;
  - Improve journeys;
  - Be safe, secure, sustainable; and
  - Drive efficiency and innovation
- 5.1.3 Rail passenger numbers have doubled over the past twenty years and the demands for both passenger and freight journeys are forecasted to keep growing. Although more trains are running than ever before, growth in passenger numbers is outstripping supply.
- 5.1.4 The constraint with the highest priority on the MML has been identified as the section between Bedford and Kettering where the introduction of any additional freight or passenger services will require the existing infrastructure to be enhanced.
- 5.1.5 The current service pattern uses all of the available capacity on this route; an issue that is exacerbated by the differential in speed between fast passenger services and the slower freight services.
- 5.1.6 During an average weekday in 2015, around 15% of intercity services using the Midland Main Line are crowded, with some passengers standing as there is insufficient seating. About a third of all weekday services have at least 80% of seated capacity in use. **Figure 3** illustrates the forecast of morning high peak demand capacity between 2015-2040.



**Figure 3: Midland Main Line – Annual forecasts of morning high peak demand capacity.**

- 5.1.7 Demand for intercity services on this route has seen a 13% increase between 2008 and 2014; this is expected to continue to grow. The Network Rail East Midlands Route Study Summary Document (**NR 31**) forecasts 34% passenger growth between 2013 and 2023 and 95% growth by 2043.
- 5.1.8 Rail freight generates more than £1.6 billion a year in economic benefits for the United Kingdom including productivity gains for UK businesses, reduced road congestion and related environmental benefits. Freight growth across Great Britain is forecast to increase in terms of tonne kilometres by 2.9 per cent annually through to 2043; this compares to a growth of about 2.5 per cent per year since the mid-1990s. There is also a projected increase in intermodal freight traffic on the Midland Main Line increasing the proportional national share.

**5.2 THE NEED FOR THE PROJECT**

- 5.2.2 Prior to L2C works commencing, the route between Bedford and Kettering was predominantly a three track route (sections of four track at Bedford and Kettering only), with an Up Fast line, Down Fast line and an Up/Down bi-directional Slow line.

- 5.2.3 The L2C Project requires the installation of a new slow line to create a full four track section between Bedford and Kettering. The new slow line will provide increased capacity (for timetabled services) and a journey time improvement. It will also provide improved capacity on the Slow lines when the Fast lines between Bedford and Kettering are blocked for engineering work and in times of perturbation.
- 5.2.4 The new slow line installed between Sharnbrook Junction and Kettering South Junction will provide improved axle weight clearances at higher speeds to meet proposed freight traffic requirements.
- 5.2.5 The new track between Sharnbrook Junction and Kettering South Junction will be designed to permit up to 90mph running where possible.
- 5.2.6 Development of the Indicative Train Service Specification (ITSS) identified that the passenger services to/from Corby would cross between the fast lines and slow lines at Wellingborough. Modelling of alternative layouts at Wellingborough concluded that operational flexibility was optimised through the construction of a new platform at Wellingborough on the new Up Slow line (for use by the Up passenger services from Corby) along with the installation of a new crossover (Wellingborough South Junction) just south of Wellingborough station for the Up Slow services from Corby to then cross to the Up Fast line. Down services to Corby would stop on platform 1 on the Down Fast line and then cross to the Down Slow line using Wellingborough North Junction.
- 5.2.7 The project will undertake renewals of Wellingborough North Junction (planned renewal in CP5) and to improve overall journey times on the route, the project is proposing to increase the line speed over the junction from the current 25mph to 50mph in order to contribute to an improvement in overall journey times on the route. The increase in the speed of Wellingborough North Junction requires the location of the junction to be moved, due to longer switches being required. Agreement for the changes has been granted through the Network Change process.
- 5.2.8 The existing junctions at Sharnbrook Junction and Harrowden Junction will be extended to allow train moves between the new Up Slow line and existing Up Fast line at these junctions.
- 5.2.9 A new 40mph crossover will be installed at Kettering South Junction to allow Up trains travelling on the Down Slow line through Kettering station, to cross back to the Up Slow line.

### **5.3 BENEFITS OF THE MMLP**

- 5.3.1 The L2C project is one of the key component projects of the Midland Main Line Upgrade Project (MMLP). Without delivery of the L2C project, of which the Order Scheme is an integral part, it would not be possible to achieve the benefits of the wider MMLP, which include: allowing the number of services to Corby to be doubled, three freight trains an hour to be accommodated and train journey times to Leicester and beyond to be reduced. Major remodelling works to Derby Station and Market Harborough Station will also increase capacity, increase line speed and reduce delays. The upgrade will enable up to 50% more seats an hour in the peak into London from 2020. For longer-distance journeys, this upgrade will reduce journey times between Nottingham and Sheffield and London by up to 20 minutes in the peak, subject to the timetable planning process.
- 5.3.2 The passenger experience will be improved by reducing crowding through increased seating capacity, improved passenger comfort through the introduction of electric stock and improve the station environment due to a reduced level of pollution with the use of electric trains.
- 5.3.3 Economic growth will be increased through improved workforce mobility with better access to employment and learning opportunities, as a consequence of improved journey times, capacity and rolling stock.
- 5.3.4 Train service performance will be improved due to the introduction of a modern and more reliable fleet. Electric trains generally have a lower failure rate than diesel trains.
- 5.3.5 The railway industry as a whole, will benefit through reduced costs of operating and maintaining electric rolling stock, and increased revenue through attracting and accommodating increased passenger demand.
- 5.3.6 Using electric trains will lead to environmental benefits including reduced Carbon and Nitrous Oxide emissions, reduced point of source emissions and lower operating noise levels. It will also provide the infrastructure for a freight modal shift from highway to rail as a result of increased route capacity.
- 5.3.7 Electric trains are less hard wearing to track when compared to the existing rolling stock fleet, which will help to reduce the frequency and cost associated with maintaining and renewing track and associated infrastructure.

## 6 PLANNING & TRANSPORT POLICY CONTEXT & APPRAISAL

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### 6.1 INTRODUCTION

- 6.1.1 Transport infrastructure, as a facilitator of physical interactions between individuals and businesses, has always been a key component in ensuring that demand within an economy is able to be released and transformed into growth. The important role of a sustainable public transport network is therefore at the heart of national, regional and local planning policy guidance.
- 6.1.2 This section provides an overview of the relevant national, regional and local policy relating to rail infrastructure, and goes on to consider the extent to which the proposed Order is consistent with policy aims.
- 6.1.3 The Order will facilitate a number of small scale works which will contribute to the overall scheme for electrification and capacity enhancements to rail infrastructure between London and Corby, including electrification between Bedford and Corby, along the Midland Main Line, one of the country's main transport corridors. This will help to enhance connectivity between London and the East Midlands and Yorkshire. It will make an important contribution to the Government's overall transport strategy to maximise the benefits of a robust and reliable railway network. These improvements form part of the Midland Main Line Programme Business Case and electrification is also referenced in the Secretary Of State's High Level Output Statement in July 2012, identifying interventions required in CP5.

### 6.2 THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 6.2.1 The NPPF (**NR 32**) was adopted in 2012 and reviewed for the first time in July 2018. It sets out the Government's overarching planning policies for plan making and decision taking in England and details how these policies are expected to be applied. At its heart is the presumption in favour of sustainable development (paragraph 14 of the NPPF). The three dimensions of sustainable development are economic, social and environmental development. Sustainable transport has a role to play in supporting each of these themes. Transport policy contained within the NPPF is largely focused on the impact and location of new development in relation to existing transport infrastructure, and provides limited guidance on proposals for new transport infrastructure.

- 6.2.2 The NPPF also sets out how local authorities should prepare their development plan documents and the key considerations for determining planning applications. Paragraph 104 of the NPPF encourages local authorities to prepare development plans with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils in order to support the objective of sustainable development. Paragraph 26 encourages effective cooperation by planning authorities, stating that joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere, as is the case with L2C which spans a number of local plan areas.
- 6.2.3 The NPPF is specific in that it does not contain policies for Nationally Significant Infrastructure Projects. While the works in this Order fall below the threshold defined in The Highway and Railway (Nationally Significant Infrastructure Projects) Order 2013 (**NR34**), transport policy contained within the NPPF is largely focused on the impact and location of new development in relation to existing transport infrastructure, and provides more limited guidance on proposals for new transport infrastructure.
- 6.2.4 Building a strong, competitive economy is a key component of the NPPF, outlined in Chapter 6, where it states at paragraph 80:
- ‘Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.’*
- 6.2.5 Chapter 9 sets out the key aims for promoting sustainable transport, which is defined in the glossary as including public transport.
- 6.2.6 Paragraph 102 highlights the need to address realise the opportunities from existing or proposed transport infrastructure, for example in relation to the scale, location or density of development that can be accommodated. This clearly relates to the MML improvements and the wider objectives to enhance connectivity and economic growth along the East Midlands and Yorkshire.
- 6.2.7 At paragraph 103, the Government establishes the aim to ensure the transport system is balanced in favour of sustainable modes, and recognises that different approaches to transport will be required in different communities, with solutions varying from urban to rural areas.



- 6.2.8 Paragraph 104 encourages local authorities to work with transport providers and neighbouring authorities to develop strategies for the provision of viable infrastructure, which relates to the Scheme's objective to facilitate the release of additional rail capacity on the MML.
- 6.2.9 The Order works will contribute to meeting the NPPF policy for sustainable economic growth by providing opportunities (in combination with other schemes) to allow additional capacity for more, faster trains to run on the MML, improving connectivity between London, the East Midlands and the North, by a mode of sustainable transport. It will make a positive contribution to targets to reduce carbon emissions by providing a credible alternative to the car and ensuring that freight movements can continue on the rail network.
- 6.2.10 As discussed in this document, railways play an essential role in supporting Britain's economic growth, with links between the East Midlands, the North and London playing a key role in the nation's economic well-being.
- 6.2.11 As such, there is a clear link between the works in the Order and the Government's aims through the NPPF for the planning system to proactively drive and support sustainable economic development by delivering the infrastructure needed by the country.

### **6.3 NATIONAL POLICY STATEMENT FOR NATIONAL NETWORKS**

- 6.3.1 The National Policy Statement (NPS) (**NR 33**) was adopted in December 2014 and sets out the need for, and Government's policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England. Whilst the proposed Scheme falls under the threshold set out in The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013, section 1.4 of the NPS states that:
- 'In England, this NPS may also be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 or any successor legislation. Whether, and to what extent, this NPS is a material consideration, will be judged on a case by case basis.'*
- 6.3.2 Therefore, whilst the NPS is primarily to guide and inform NSIP applications, it does have material weight and is relevant to this Scheme as the proposed works would improve part of the national rail network, and should therefore be appraised accordingly. It is also important to understand the context of the Government's policy stance on rail infrastructure given the limited detail within the NPPF.
- 6.3.3 Section 2 of the NPS sets out the need for development of the national networks and the Government's vision and strategic objectives:

*‘The Government will deliver national networks that meet the country’s long-term needs; supporting a prosperous and competitive economy and improving overall quality of life, as part of a wider transport system. This means:*

- *Networks with the capacity and connectivity and resilience to support national and local economic activity and facilitate growth and create jobs.*
- *Networks which support and improve journey quality, reliability and safety.*
- *Networks which support the delivery of environmental goals and the move to a low carbon economy.*
- *Networks which join up our communities and link effectively to each other.’*

6.3.4 The NPS also supports development of existing national networks to support local economic growth and regeneration, particularly in disadvantaged areas. Paragraph 2.6 states that improved transport links (such as the Scheme) can help to rebalance the economy.

6.3.5 At paragraph 2.10 the NPS sets out an overarching statement that the Government concludes at a strategic level that there is a compelling need for the development of national networks, and that as a result:

*‘The Examining Authority and the Secretary of State should therefore start their assessment of applications for infrastructure covered by this NPS on that basis.’*

6.3.6 The need for development of the national rail network is set out from paragraphs 2.28 – 2.41 which focus on the economic and social benefits of a sustainable transport system, the growing demand for rail travel and projected future growth, which together support the compelling need for developing the Country’s rail network.

6.3.7 In the short to medium term, paragraph 2.37 highlights the need to improve capacity, capability, reliability and resilience of the network which reflect the core principles of the Scheme. It further states that:

*‘Relatively modest infrastructure interventions can often deliver significant capacity benefits by removing pinch points and blockages.’*

6.3.8 Given that the Order will contribute towards alleviating capacity constraints north of Bedford and, with other projects, facilitate an increase in capacity and speed on the MML, it follows that the proposed Order is wholly consistent with Government policy objectives set out in the NPS.

6.3.9 The National Infrastructure Delivery Plan (NIDP) 2016-2021 brings together the Government's plan for infrastructure together with those to support the delivery of housing and social infrastructure. Chapter 4 outlines the importance of the railway network in enabling millions of people to travel quickly and safely, relieving road congestion, reducing carbon emissions and *'bringing people and businesses closer together, which creates jobs, supports housing development, opens up new markets and stimulates economic growth'*. Electrification between Bedford and Corby is identified as a key project.

## 6.4 LOCAL PLANNING POLICY

### The North Northamptonshire Joint Core Strategy - July 2016

6.4.1 The relevant local policies for determining the proposals within Wellingborough are contained within the North Northamptonshire Joint Core Strategy (July 2016, covering Wellingborough, Kettering, Corby and East Northamptonshire local planning authorities):

*Policy 16 – Connecting the Network of Settlements:*

*Connections between the towns in the Northamptonshire Arc will be strengthened and links between the Market Towns and the train stations improved. This will be achieved through managing development and investment to:*

- a) Prioritise enhanced public transport provision, including the Northamptonshire Arc Transit Network and its phased implementation for the introduction of rapid transit links between the town centres, major employment sites and Sustainable Urban Extensions where feasible;*

6.4.2 The Order proposals are in accordance with the above policy as they contribute to improve linkages between Wellingborough, Corby and Kettering as part of the electrification of the line from London to Corby.

*Policy 17 – North Northamptonshire's Strategic Connections:*

*North Northamptonshire's strategic connections with surrounding areas will be strengthened and enhanced by managing development and investment to ensure that they are to the standard necessary to fulfil the role expected of them. New development that would prejudice their role will not be permitted.*

*The priorities for further work and investment within North Northamptonshire in the period to 2031 are:*

*a) Rail (Midland Main Line) Upgrading of the rail infrastructure to increase capacity for passengers and rail freight, including:*

- i. Electrification and line speed improvements northbound, including from Corby, and southbound from all stations to London St Pancras International and Europe;*
- ii. Station improvements, the provision of additional capacity and improved frequency of services calling at Corby, Kettering and Wellingborough;*
- iii. Ensuring continuation of through services to Leicester, Derby and Nottingham and connecting with HS2 for onwards northbound travel; and*
- iv. Investigation of the longer term potential for railway stations at Irchester (to serve Irchester, Higham Ferrers and Rushden) and Desborough (to serve Desborough and Rothwell).*

6.4.3 The Order works are entirely consistent with the policy and criterion a(i) above.

#### Northamptonshire Transportation Plan (NTP)

6.4.5 The Northamptonshire Transportation Plan was prepared to enable the delivery of the key transport projects contained in the Core Strategic Strategy. Priority 1 as laid out in the report is to 'enhance strategic connections' and to 'address congestion on the road network'. Point 14 of the Strategy's Key Infrastructure focusses on improvements to be made to the county's railways, addressing 'journey time, passenger service and capacity improvements on the West Coast Main Line and Midland Main Line, together with electrification of the Midland Main Line'. Relevant policies within the NTP are given below:

*Strategic Policy 18 is to 'to improve the highway infrastructure and transport network in the county to provide better access to jobs and training for the people living and working in Northamptonshire'.*

*Strategic Policy 19 is 'to improve journey times and reliability on the highway and rail networks in order to increase the efficiency of freight movements and facilitate the local economy to grow'.*

*Strategic Policy 21 relates to the reduction of transport-related carbon emissions and includes the aim to increase the efficiency of the rail network.*

6.4.6 The proposals contained within this Order are again entirely consistent with the aims of the policies in the NTP.

#### North Northamptonshire Infrastructure Delivery Plan (September 2017)

6.4.7 The Delivery Plan identifies the electrification of the route as a key investment in strategic connections by sustainable transport. However specific rail improvements in the IDP are focused on the re-development of the Wellingborough station area as part of the wider Stanton Cross development.

#### Borough of Wellingborough Infrastructure Delivery Plan (September 2017)

6.4.8 The infrastructure Delivery Plan recognises the improvements that electrification will bring to the Borough but again specific rail improvements in the Plan are solely related to works at Wellingborough station, funded through the Stanton Cross development.

#### Wellingborough Borough Council Representations to The Order

6.4.9 It should be noted that the Council, in formally responding to the Order, have no overall objection to the proposals as confirmed in their representation dated 23<sup>rd</sup> July 2018.

6.4.10 In terms of the other representations no Planning issues were raised.

#### Bedford Core Strategy & Rural Issues Plan (2008)

6.4.11 Although work is under way on a new Local Plan (see below) the current adopted land use documents include the 2008 Core Strategy, taking development in the Borough up to 2021. Unsurprisingly the Plan of 2008 makes no mention of potential electrification beyond Bedford; however a key objective of the Plan is given as:

*8. Support the delivery of coordinated transport improvements with the emphasis on non-car modes, improving east-west communications and achieving greater transport interchange*

#### Allocations & Designations Local Plan 2013

6.4.12 The Allocations & Designations Local Plan includes the “saved” policy T9 (rail services):

*The Borough Council will encourage improved rail services to and from Bedford, the improvement of the Marston Vale line including improved parking provision, **and the electrification of the route north of Bedford.***

6.4.13 The Order works are clearly consistent with this policy.

### Bedford Local Plan 2030

6.4.14 The Council have published their Local Plan for consultation prior to the submission to the Secretary Of State for consideration. Consultation closed at the end of October 2018.

The overall objectives of the Plan (section 4) include the following:

*7. Improve the borough's transport infrastructure in order to support growth in the local economy and to make the borough more attractive as a place to live and do business. Reduce congestion in the borough, particularly into and around the town centre and by making journeys by public transport, walking and cycling more attractive to encourage an increase in more sustainable and healthy modes of transport.*

### Bedford Borough Local Transport Plan LTP3 (2011-2021)

6.4.15 Bedford borough's current Local Transport Plan, LTP3, is the first to cover the unitary authority area. It sets out the borough's long term transport strategy and is reviewed on a regular basis to ensure that it continues to reflect the Council's transport priorities.

6.4.16 Two key objectives of the Plan cited are:

*To deliver improvements that encourage a reduction in transport emissions and greenhouse gases, in order to tackle climate change and develop a low carbon community capable of adapting to the impacts of climate change; and  
To encourage and support a sustainable transport system that contributes to a healthy natural and urban environment*

6.4.17 Within LTP3 lie eight supporting strategies. These cover active travel; freight; network management; parking; passenger transport; road safety; sustainable modes of travel to school and transport asset management.

6.4.18 In the LTP Implementation Plan (Appendix 1), passenger transport strategy action number 14 identifies the need to "*Engage with the rail industry to support improvements to line speeds and capacity on the Midland Main Line*".

6.4.19 The Order works would be consistent with this stated aim of the Local Transport Plan.

6.4.20 In light of the above, it is clear that the request that the works associated with the Order, and in particular deemed planning consent for the Bromham Road bridgeworks should be granted.

## 7 PROJECT DELIVERY

### 7.1 INTRODUCTION

- 7.1.1 Where land has been taken by negotiation, preliminary works have already begun and work will continue on the L2C Project until 2020.

STRUCTURE	INDICATIVE PROGRAMME
Sharnbrook Viaduct	February 2019 – April 2019
Irchester Viaduct	September 2018 – November 2018
Wellingborough Viaduct	January 2019 – March 2019
Harpers Brook Viaduct	October 2018 – December 2018
Odell Viaduct	August 2018 – February 2019
Irthlingborough Road Bridge	October 2018 – February 2019
Isham Station Road	May 2019 – October 2019
Souldrop Level Crossing	August 2018 – February 2020
Bromham Road Bridge	May 2019 – May 2020

**Table 2: Indicative Programme for the locations within the Order Scheme**

### 7.2 CONSTRUCTION METHODOLOGY

- 7.2.1 Network Rail has developed a programme plan for the L2C project that will manage carefully the necessary works and which seeks to minimise the impacts on property owners, pedestrians, road, rail and other public transport users. The construction plan has been designed to keep disruption to rail passengers to a minimum by undertaking works at times when the fewest number of people are using the network, however, there will be some periods where possessions of sections of railway are necessary. Minimising the impacts on local residents and the operational railway line have been key factors in considering construction methods.

### 7.3 WORKING HOURS

- 7.3.1 Where practical and safe to do so, work will take place during the normal working week (i.e. 07.30 to 18.00, Monday to Friday and 07.30 to 14.00 Saturdays). However, in order to fully undertake the works a number of track possessions will need to be taken over operating lines. By necessity and in order to minimise disruption to train services, these possessions will be taken at night, over weekends or bank holidays. Local residents will be notified about upcoming works within their area by post, with details of when work will be taking place at night or over weekends and bank holidays.

## 7.4 RECONSTRUCTION WORKS TO BRIDGES AND VIADUCTS

7.4.1 The works described below are required in the context of reconstructing bridges to provide safe clearance for OLE infrastructure.

VEGETATION MANAGEMENT	
Description	<p>To facilitate much of the works, vegetation must be removed. Trees and shrubbery will be cut to a height of 150mm, left for 24 hours and then razed to ground level where necessary. This reduces the risk to protected species (reptiles/GCN).</p> <p>Small trees will be felled from ground level. Larger trees and ones around protected sites will be felled top-down (soft-felled).</p> <p>This work will mostly take place during the day; however there are some locations on the track that can only be accessed safely when trains are not running i.e. in night-time possessions.</p>
Working hours	Midweek days, mainly.
Plant list	<p>Stihl chainsaws</p> <p>Stihl strimmer</p> <p>Chipper</p> <p>Generators</p> <p>Tower lights</p>

SITE CLEARANCE/ENABLING WORKS, ACCESS AND COMPOUNDS	
Description	<p>Vegetation management works are undertaken if necessary. The site is then cleared, and excavated and levelled as required using the mini-digger. Spoil will be removed via the dumper or reused on site.</p> <p>For compounds, cabins will be delivered and lifted into place by hi-ab.</p> <p>This work will mostly take place during the day.</p>
Working hours	Midweek days (normal working hours)



Plant list	<p>Stihl chainsaws</p> <p>Stihl strimmer</p> <p>Chipper</p> <p>Mini-digger</p> <p>3 tonne dumper</p> <p>Hi-ab – Crane Lorry</p>
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## EARTHWORKS

Description	<p>Some sites will require additional structural support. To meet these requirements, piles will be used. Sacrificial casings will be driven into the ground at the pile locations. A Road Rail Vehicle (RRV) will then auger the ground out of these casings. H-piles will be placed in the holes, and they will be backfilled with concrete. The arisings created from auguring will be placed on a trailer carried by the RRV.</p> <p>Retention boards will then be lifted by an RRV and installed between the piles in previously dug excavations. The embankment will then be regraded by an excavator to the desired levels.</p> <p>The auguring activity will take place at night as RRVs are required and they cannot be used whilst trains are running.</p>
Working hours	Midweek and weekend nights (extended working hours).
Plant list	<p>RRV with auger attachment</p> <p>Vibration piling machine</p> <p>Generators</p> <p>Tower lights</p>

## BRIDGE RECONSTRUCTION WORKS

Description	<p>A temporary structure for pedestrians and services will be installed.</p> <p>The existing bridges will be demolished in stages; a saw cut under the sill of the bridge and up the abutments, tarmac and overburden stripped, run cuts above bridge beams to remove sections in manageable pieces, RRV/360s with peckers and grabs on each side of the arch removes the remaining structure and waste material is tested and removed from site.</p>
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	<p>The new bridges are then installed by prepping the exposed abutments with packers and scree. The new sills are landed on the abutments and fixed in place with dowles and grout. Bearings are set out for bridge deck and then individual bridge beams are landed and stitched together with lacer bar. Drainage is installed, new approaches are installed and the deck is waterproofed and then the new road formation is built.</p> <p>This work will take place during possessions and longer blockades. The works will take place during the day and at night to fully utilise all available time and to reduce the probability of any potential delays when resuming operational services.</p>
Working hours	Blockades, weekends (extended working hours)
Plant list	<p>RRV Excavator and Dozer</p> <p>Telehandler</p> <p>Crane</p> <p>Mini-digger</p> <p>9t Dumpers</p> <p>Generators</p> <p>Tower lights</p> <p>Pressurised water jet bowzers</p> <p>Hand hydraulic breaker</p> <p>Pecker/hydraulic breaker</p>

## 7.5 WORKS RELATED TO OLE INSTALLATION

7.5.1 The works described below relate to attaching OLE infrastructure onto viaducts.

VIADUCT BRACKETS	
Description	<p>The viaducts will be fitted with brackets to carry the OLE equipment. This will be done by one of two methodologies dependant on the type of structure and its condition.</p> <p>Initially; the structure condition will be assessed. Where the structure meets the requirements, studs will be installed. Sometimes tie bars will also be installed, prior to this, to improve a structure's strength. To install the studs, the structure will be drilled from a Mobile Elevating</p>

	<p>Work Platform (MEWP). The drill holes will be cleaned, strength tested and then filled with resin. Studs will then be inserted into the resin and the OLE supporting bracket will be fixed to these studs. Where studs cannot be used, the entire width of the structure will be drilled through and brackets will be fitted to bolts attached to either side.</p> <p>The brackets are moved into place with a crane from below or from above, depending on the local environment. They are secured in place using bolts and hand tools.</p> <p>This work will take place during possessions and longer blockades. The works will take place during the day and at night to fully utilise all available time and to reduce the probability of any potential delays when resuming operational services.</p>
Working hours	Blockades, weekends (extended working hours)
Plant list	<p>RRV Excavator and Dozer</p> <p>Engineering trains</p> <p>Generators</p> <p>Tower lights</p> <p>Hand tools</p>

OLE MAST INSTALLATION	
Description	<p>All OLE structures will be delivered to the construction depot, assembled in the depot, and transported to the relevant designated access point. Erection of the structures will be undertaken using a road rail excavator or crane. The steel will be transported to the point of installation on site using an accompanying rail trailer.</p> <p>Each structure will then be slung and lifted onto its respective foundation, the holding down bolts fastened and the design rake applied.</p> <p>The auguring activity will take place at night as RRVs are required and they cannot be used whilst trains are running.</p>
Working hours	Midweek and weekend nights (extended working hours)

Plant list	Road rail cranes RRV Excavator SRS lorry MEWP Impact wrench Truck/lorry tractor unit 7.5t flatbed truck
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OLE WIRING	
Description	<p>Where possible the earthing wires (EW) and auto-transformer wires (ATF) will be run simultaneously using RRV tensioned wiring units. MEWPs will be deployed in rear of the wiring operation to clip the wire while achieving an average of 2000-3000m per shift production rates. The ATF and EW will be 'paid out' simultaneously at full line tension. The wire will be positioned onto the masts using a manipulator arm and then clipped into the support.</p> <p>These works will take place at night as RRVs are required and they cannot be used whilst trains are running.</p>
Working hours	Midweek and weekend nights (extended working hours)
Plant list	MEWP Impact wrench Wiring unit

### 7.5.2 ACCESS

7.5.1 Access to site, temporary closures or diversion of pedestrian and vehicular access have been planned in consultation with the local highways authorities. Temporary site access has been agreed, or is being negotiated with the principal land owners (see Section 11).

## 8 ENVIRONMENTAL EFFECTS

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### 8.1 OVERVIEW

- 8.1.1 Network Rail is committed to improving its environmental performance and leaving a sustainable environmental legacy for future generations. Outstanding environmental performance is a central part of being a responsible and successful company and will help to protect and enhance the UK's environment; the Network Rail Environmental Policy (**NR 29**) sets this out formally. Network Rail will ensure that all works are managed professionally, addressing all environmental impacts and implementing appropriate mitigation to reduce or eliminate those impacts where reasonable and practicable to do so.
- 8.1.2 Network Rail has sought and obtained screening opinions from the relevant planning authorities, and in relation to Bromham Road Bridge reconstruction authorised by the Order, from the Secretary of State confirming that no significant environmental effects are likely to arise from the L2C project and therefore an EIA would not be required (**NR 1** and **NR 2**). However, Network Rail will identify opportunities to enhance the environment and biodiversity.
- 8.1.3 Network Rail considers the environmental and social impacts when planning all works, implementing design changes and mitigation measures to reduce those impacts at the earliest stages in the programme. This approach is in collaboration with designers and contractors.

## 9 PROJECT SAFETY

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### 9.1 INTRODUCTION

- 9.1.1 Rail is the safest form of public transport. Nevertheless, Network Rail recognises that the safety of the network is a matter of public concern and puts safety as its highest priority. Design, construction and maintenance will be undertaken with due respect for safety.

### 9.2 INDEPENDENT OVERVIEW

- 9.2.1 The safe operation of the rail industry is independently checked and enforced by the ORR.

### 9.3 DESIGNING FOR SAFE OPERATION

- 9.3.1 The safety management of Network Rail's infrastructure nationwide is described in its Health and Safety Management System (**NR 30**), as required by the ROGS. It includes management arrangements for ensuring that any new or modified infrastructure is designed to be operated safely and that the designs are checked before implementation. Network Rail is rigorously applying these arrangements to the L2C project.
- 9.3.2 Network Rail's Health and Safety Management System has been examined and accepted by ORR as that required by the ROGS (**NR 18**), including management arrangements for designing for safe operation. Network Rail will comply with the terms of its Health and Safety Management system during design, construction and operation. Network Rail will deliver levels of safety in operation comparable to the rest of the national rail network, and indeed improve on these levels where reasonably practicable.
- 9.3.4 Network Rail will continue to work with the ORR through the design and implementation phases of the L2C Project, which include the Order Scheme. The improvements provided by the Project will not be brought into public service until they have received approval, in accordance with the requirement of the ROGS and the Railway Interoperability Regulations 2006 as applicable.

### 9.5 CONSTRUCTION SAFETY

- 9.3.5 As a normal part of Network Rail's design process, potential hazards in construction are identified, assessed and appropriate control measures devised to reduce risks to as low as reasonably practicable. In addition, the designs are reviewed to check that construction and maintenance safety has been thought through properly. Information on the hazards identified and the control measures proposed will be refined by the contractor during the development of the design and during preparation of detailed method statements for each of the works.

9.3.6 Before Network Rail authorises any construction, the contractor must prepare a construction health and safety plan explaining the measures he will take to ensure safety in construction. This plan will be based on the work done at design stage. In addition, the contractor must submit detailed work package plans and task briefing statements for each work activity, prior to commencing any activity on site. Any contractor's personnel will have a thorough understanding of the specific hazards of working in a live railway environment.

## 10 CONSULTATION

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### 10.1 INTRODUCTION

- 10.1.1 Prior to drawing up final plans for the project, Network Rail provided consultees with opportunities to provide feedback on the proposals, so as to enable any key areas of concern to be identified and to allow Network Rail to use the feedback to influence the design of the project, where feasible.
- 10.1.2 Consultation on the project as a whole, regarding the proposals for each location included in the Transport and Works Act Order application, has been ongoing with stakeholders and landowners since 2013. This has provided an opportunity for interested parties to feedback comments to Network Rail during the development and design of the project, whilst the proposals were evolving.
- 10.1.3 Negotiations with affected landowners are ongoing, and will continue throughout the TWAO process, as Network Rail is seeking to reach agreement before using compulsory purchase powers.
- 10.1.4 As the consultation requirements were varied for the scope of this TWAO, a bespoke consultation strategy was developed for each location, as described below.
- 10.1.5 Local authorities (including Bedford Borough Council, Northamptonshire County Council, Corby Borough Council and the Borough Council of Wellingborough) received a letter describing the proposed works in their area, and informing them of how they could submit their feedback on the proposals.
- 10.1.6 All relevant Stakeholders listed in Schedules 5 and 6 and Annex 4 of the TWAO Application Rules were consulted and non-statutory stakeholders were consulted in adherence with best practice guidance.

### 10.2 RAILWAY OVERBRIDGES: ODELL VIADUCT, IRTHLINGBOROUGH ROAD BRIDGE & ISHAM STATION ROAD BRIDGE

- 10.2.1 Negotiations with Network Rail Property had been ongoing with landowners at these locations from January 2017, without reaching agreement. There was no statutory requirement for community consultation at these locations.



10.2.3 Affected landowners and tenants received a bespoke letter and land plan from Network Rail dated between 17th and 26th April 2018.

10.2.4 These letters clearly set out what land and / or rights Network Rail had been seeking to acquire, and explained that although Network Rail's preference was to reach agreement with these stakeholders, as this had not been possible thus far, the intention was to seek powers under the Transport and Works Act 1992 (TWAO).

10.2.5 These letters provided stakeholders with an email address and telephone number to share their feedback on the proposals prior to the consultation end date of 24th May 2018. The consultation was subsequently extended, in order to allow for further feedback and closed on 31st May 2018.

### **10.3 RAILWAY VIADUCTS: HARPER'S BROOK VIADUCT, IRCHESTER VIADUCT AND SHARNBROOK VIADUCT**

10.3.1 Affected landowners and tenants received a bespoke letter and land plan from Network Rail dated 26th April 2018. These letters explained the air rights Network Rail had been seeking to acquire, and explained that although Network Rail's preference was to reach agreement with these stakeholders, if this was not possible then the intention was to seek powers under the Transport and Works Act 1992 (TWAO).

10.3.2 Stakeholders were provided with an email address and telephone number to share their feedback on the proposals prior to 24th May 2018, and Network Rail Property negotiations with affected stakeholders are ongoing.

### **10.4 BROMHAM ROAD BRIDGE**

10.4.1 Negotiations have been ongoing between Bedford Borough Council and Network Rail regarding proposals for this structure since 2013, however it has not been possible thus far to reach agreement regarding the works.

10.4.2 Negotiations with adjacent landowners have been ongoing since 2016, and agreement has not yet been reached.

10.4.3 The draft consultation strategy for statutory and community stakeholders was shared with Bedford Borough Council for information prior to consultation as part of the TWAO process.

- 10.4.5 Statutory stakeholders including Bedford Borough Council, adjacent landowners and utilities companies received a letter dated 13th April 2018, which explained the proposals for the bridge, included an indicative plan to illustrate the impact of the proposed works on their interests, and invited stakeholders to a consultation event on 20th April 2018 between 12:00 – 18:00 at Bedford Corn Exchange, St Paul's Square, MK40 1SL.
- 10.4.6 These letters explained the additional rights being sought by Network Rail, the intention to seek powers under the Transport and Works Act 1992 (TWA0), and also detailed a range of avenues to provide feedback on the project, or find out further information. The end date for the consultation process was given as 24th May 2018.
- 10.4.7 Community consultation was undertaken at the same time as the Statutory Stakeholder consultation. Members of the public living within a minimum of a 2 mile radius of Bromham Road Bridge received flyers by post inviting them to a consultation event on 20th April. The flyer also contained details of how to provide feedback by email and telephone, if individuals were unable to attend the event.
- 10.4.8 The consultation event was also publicised as an advertisement in local newspapers the Bedford Times & Citizen (circulation of 78,500 people) and the Bedford Midweek (circulation of 57,800 people).
- 10.4.9 Leaflets were available at the consultation event, for stakeholders to view further details of the project. These included mechanisms for providing feedback, and finding further information about the proposals.
- 10.4.10 Due to feedback from Bedford Borough Council and community stakeholders that members of the public may have been unable to attend as the event occurred during working hours, a further public consultation event was held on 24th May 2018 between 2pm-8pm at The Park Inn Hotel, 2 St Mary's St, Bedford MK42 0AR. Statutory undertakers (apart from Bedford Borough Council) had not expressed a need for a second event, therefore this event was primarily aimed at community stakeholders.
- 10.4.11 This second public consultation event was publicised via flyers to postal addresses within 2 miles of Bromham Road Bridge and by advertisement in local newspapers, as above. Event flyers were also handed out at Bedford Station. In order to allow for feedback and analysis following this additional event, the consultation period was extended to 31st May 2018.

10.4.12 Throughout the consultation process, Statutory and Community consultees were able to submit their feedback on the project in various ways:

- Online via the Network Rail website
- By email to a dedicated email address
- Online via a dedicated consultation portal
- Freepost comments cards/feedback forms made available at the public events; and
- By telephone to the Network Rail National Helpline number

## **10.5 SOULDROP LEVEL CROSSING**

10.5.1 Current usage of the crossing is low, with census data from 2016 indicating that the crossing is used by an average of 2 pedestrians per day.

10.5.2 Consultation with stakeholders has been ongoing since 2016, however it has not been possible to secure by negotiation all the necessary land and rights required for the purposes of creating the new footpath.

10.5.3 Network Rail has already made an application to Bedford Borough Council for a Rail Crossing Diversion Order under Section 119A of the Highways Act 1980 to create the new footpath connecting to Public Bridleway No. 33 and extinguish the public right of way over the railway. This application was the subject of informal consultation by the Borough Council which was concluded in November 2017.

10.5.4 The order was published by Bedford Borough Council on 22/03/2018 and subject to a 28 day objection period prior to being confirmed by the Council (if unopposed).

10.5.5 At the end of the objection period, three objections were made; one objection from a landowner, one objection from a Councillor, and one objection from a member of the public. Bedford Borough Council has informed Network Rail that the landowner and Councillor objections have been withdrawn. One objection yet remains from a member of the public.

10.5.6 The draft consultation strategy for statutory and community stakeholders was shared with Bedford Borough Council and Knotting and Souldrop Parish Council for comment prior to consultation as part of the TWAO process.

- 10.5.7 Statutory stakeholders (including the Borough Council, Parish Council, affected landowners and utilities companies) received a letter dated 13th April 2018, which explained the proposals for the level crossing, included an indicative plan to illustrate the impact of the proposed works, and invited stakeholders to a consultation event on Friday 23rd March 2018 from 10:00 – 18:00 at The Exchange, Colworth Science Park, Sharnbrook, MK44 1LQ.
- 10.5.8 These letters explained the additional rights being sought by Network Rail, the intention to seek powers under the Transport and Works Act 1992 (TWA0), and also detailed a range of avenues for stakeholders to provide feedback on the project proposals, or find out further .
- 10.5.9 Community consultation was undertaken at the same time as the Statutory Stakeholder consultation. Members of the public living within the vicinity of Souldrop Level Crossing received flyers by post inviting them to a consultation event on 23rd March 2018. The flyer also contained details of how to provide feedback by email and telephone, if individuals were unable to attend the event.
- 10.5.10 The consultation event was also publicised as an advertisement in local newspapers the Bedford Times & Citizen (circulation of 78,500 people) and the Bedford Midweek (circulation of 57,800 people).
- 10.5.11 Leaflets were available at the consultation event, for stakeholders to view further details of the proposed project. These included mechanisms for providing feedback, and finding further information about the proposals.
- 10.5.12 Throughout the consultation process, Statutory and Community consultees were be able to submit their feedback on the proposed project in various ways:
- Online via the Network Rail website
  - By email to a dedicated email address
  - Online via a dedicated consultation portal
  - Freepost comments cards/feedback forms made available at the public events
  - By telephone to the Network Rail National Helpline number
- 10.5.13 Due to feedback from the Borough Council and community stakeholders that members of the public may have been unable to attend, as the event did not take place in the village of Souldrop

itself, a further consultation event was held on 15th May 2018 between 2pm-7pm at Souldrop Village Hall.

10.5.14 In order to allow for feedback and analysis of responses, the consultation end date was extended from 18th May 2018 to 24th May 2018.

## **10.6 CONSULTATION FEEDBACK**

10.6.1 This section outlines the key concerns and themes that emerged regarding the proposed project during the stakeholder and community consultation.

### **Railway Overbridges: Odell viaduct, Irthlingborough Road Bridge & Isham Station Road Bridge**

10.6.2 **Odell viaduct:** Three replies were received in response to the stakeholder consultation for Odell viaduct. One landowner indicated that they were agreeable to the proposals and would welcome further discussion if their land was required. A second landowner provided the details of their land agent to act on their behalf. The third response came from a resident on the Unilever estate, who was concerned about noise and disturbance due to construction traffic. This has been shared with the project team, who will seek to minimise this impact as far as possible, through a robust traffic management plan.

10.6.3 **Irthlingborough Road Bridge:** Three replies were received from adjacent landowners in response to the stakeholder consultation for Irthlingborough Road Bridge. One landowner indicated that they had plans to develop the land that Network Rail proposed to acquire, and that the reconstruction of Irthlingborough Bridge would have adverse impacts on a significant local housing development, which had already received planning permission. Negotiations between Network Rail Property and the affected landowner are ongoing. The second response requested clarification regarding whether the access requirement was for temporary or permanent access, which was provided. The third response proposed an alternative alignment for the bridge, which is under discussion with the relevant stakeholders.

10.6.4 **Isham Station Road Bridge:** No replies were received in response to stakeholder consultation for Isham Station Road Bridge.

### **Railway Viaducts: Harper's Brook Viaduct, Irchester Viaduct and Sharnbrook Viaduct**

10.6.5 **Harper's Brook Viaduct:** Two replies were received acknowledging receipt of the consultation letters, and further discussions with Network Rail Property are ongoing. There were no comments that required modifications to the proposed project.

10.6.6 **Irchester Viaduct:** Two replies were received, one of which requested clarification on the plans provided and was responded to. The other comment requested reciprocal access from an angling club, and further discussions with Network Rail Property are ongoing.

10.6.7 **Sharnbrook Viaduct:** No replies were received in response to stakeholder consultation for Sharnbrook Viaduct.

### **Bromham Road**

10.6.8 A total of 399 responses were received from members of the public, 10 responses from statutory stakeholders, and a total of approximately 350 people attended the two consultation events regarding proposals for Bromham Road Bridge.

10.6.9 Stakeholder consultation: The majority of the statutory stakeholders who responded to the consultation requested that the proposed project be amended to include improved provision for cyclists and pedestrians (4 comments).

10.6.10 Other common references were made to:

- Minimising construction timescales (x2)
- Reducing the impact on Bedford Station car park (x2)
- Minimising local disruption (x2)
- Installing a direct third railway track linking to the Marston Vale line via both the Bedford Midland station and St John's station (x2)

10.6.12 The concerns raised by community stakeholders had several common themes, which were raised a number of times by different stakeholders:

- Potential for increased traffic congestion during the road closures and traffic diversions associated with the reconstruction of Bromham Road Bridge (149 references)
- Need for improved cycle and pedestrian provision, such as a cycleway on the bridge (139 references)
- Worries about the impact on parking, both for Bedford Station and for the residents of Hurst Grove (42 references)

10.6.13 Other common comments related to:

- Suggestions or queries regarding construction methodology
- Requested further details of proposals

- Reduced intercity train services and changed Thameslink timetable
- Minimising the duration of works
- Environmental impact of the works
- Improved communication regarding events
- Cycling underpass with access to Bromham Station
- Impact on local community

### **Souldrop Level Crossing**

10.6.14 A total of 19 responses were received from members of the public, 1 response from statutory stakeholders, and a total of 24 people attended the two consultation events regarding proposals for Souldrop level Crossing.

10.6.15 Stakeholder consultation: One of the two stakeholder responses received was from the Chair of Knotting and Souldrop Parish Council, who expressed support for the proposed project. The second response was from local landowners and the land agent acting on their behalf, to express their objections to the proposed diversion route crossing over land in their ownership.

10.6.16 Community Consultation: 83% of respondents that answered the question 'Do you support the footpath diversion to Back Lane?' agreed or strongly agree with the proposed footpath diversion, and 17% (3 respondents) strongly disagreed with the proposals. The reasons for disagreeing were:

- Disagreeing that there is a safety case for the closure of the level crossing
- The diversion route is circuitous compared to the existing direct route
- Not happy that the diversion route would be going across their land

10.6.17 The majority of comments received were in favour of closing the level crossing with some concerns raised about the current maintenance of the existing footpath, and whether the new footpath will also be poorly maintained. Network Rail has shared these concerns with Bedford Borough Council, who holds the responsibility for maintaining the existing and proposed public right of way.

10.6.18 The pre-application consultation process has:

- Established formal lines of communication with those with an interest in land;
- Enabled feedback;
- Informed people who are directly affected by the project; and
- Helped to address concerns.

## 11 ISSUES ARISING FROM OBJECTIONS

### 11.1 INTRODUCTION

11.1.1 In total 16 letters of objection and 3 written representations to the Order application were received during the statutory representation period.

11.1.2 The following table summarises the general grounds of those objections which are not yet resolved. It should be noted that most objectors commented on a number of the following issues:

MAIN ISSUES	REPRESENTATIONS
Acquisition of land or temporary use of land	5
The lack of provision in the Order for cyclists over the new Bromham Road Bridge.	8
The protection of the community garden facilities and mature trees adjacent to Bromham Road Bridge.	3
The loss of Intercity services to the north of Bedford	2
The level of consultation undertaken for this Order within Bedford.	1
Cyclists who fail to dismount on the temporary pedestrian bridge for the duration of the works to Bromham Road Bridge.	1
The disruption to nearby residents and users of Bromham Road Bridge for the duration of the works.	4
Alternative routes during works to Bromham Road Bridge.	2
The height of the rebuilt Bromham Road Bridge.	1
Adverse impacts on public rights of way, adverse impacts to highway network by obstruction and severance within Northamptonshire	1
Adverse impacts on the consented Stanton Cross / Route Development	1
Suitability of roadways and security at Odell Viaduct	2
Adverse impacts to factory car park at Isham Station Road	1
Environmental Noise & Impact at Odell Viaduct	2
Protective provisions to be made within the Order for a statutory undertaker	1



- 11.1.3 Network Rail is currently in the process of corresponding and meeting with objectors with a view to reassuring them about their issues with the project and, if necessary, reaching a mutually acceptable agreement or undertaking, which will allow the objection to be withdrawn. So far, one objection to the Order application has been withdrawn.
- 11.1.4 Network Rail is undertaking further discussions with the objectors and those making representations in order to better understand their concerns in advance of the public inquiry.
- 11.1.5 This section of the Statement of Case summaries the principal issues raised in objections and outlines Network Rail's position and response to them thus far. Where necessary, a more detailed response to any objections which have not been withdrawn will be included in Network Rail's evidence to the public inquiry.

## **11.2 GENERAL ISSUES RAISED IN OBJECTIONS & NETWORK RAIL'S POSITION**

### Objections to acquisition of land and temporary use of land

- 11.2.1 Network Rail has received objections from some landowners whose land or property it wishes to acquire either temporarily or permanently. Network Rail understands that these landowners would have concerns about how the proposals may impact on their daily lives or businesses, and it will endeavour to address these concerns as far as reasonably practicable. Network Rail is currently in the process of corresponding and meeting with these objectors, with a view to resolving the issues raised.

### The lack of provision in the Order for cyclists over the new Bromham Road Bridge

- 11.2.3 The current proposals for Bromham Road bridge will widen the existing structure as far as possible using the existing foundations and piers, and providing (approximately) an additional 600mm of width on the bridge deck. Network Rail intends to retain and reuse the existing brick piers and foundations of the bridge. This delivery approach aligns with stakeholder feedback requesting that Network Rail minimises its construction time whilst on site, and minimises disruption to both rail and road users.
- 11.2.4 The existing bridge does not contain a dedicated cycleway and segregated pedestrian footway, and reconstructing the bridge to provide this enhancement as part of the reconstruction of Bromham Road Bridge sits outside the current scope and funding for this project. Furthermore, widening the bridge beyond that provided for in the Order Scheme would require full demolition to ground level and possible changes to the foundations, which may impact on existing railway

infrastructure. It would also require amendments to the alignment of the existing approach road to cater for a wider road profile, which would require more temporary and permanent land to be acquired, in order to construct the larger structure. Such works would result in a lengthier construction period, greater costs and increase disruption to local residents.

- 11.2.5 Although enhanced cycling provision is not part of the existing scope for reconstructing Bromham Road Bridge, since the application for the Order was made Network Rail and Bedford Borough Council have entered into an agreement to explore options for the future provision of a separate bridge for pedestrians and cyclists at this location. Therefore there may be future scope for improving provisions for cyclists and pedestrians in this area; this activity is being led by Bedford Borough Council.

#### The protection of the community garden facilities and mature trees adjacent to Bromham Road Bridge

- 11.2.6 Network Rail is committed to improving its environmental performance and leaving a sustainable environmental legacy for future generations. Network Rail will ensure that all works are managed professionally, addressing all environmental impacts and will take appropriate action to keep environmental effects to a reasonable, practical minimum. This approach will be applied to the community garden and the trees on Spenser Road, some of which are protected by Tree Preservation Orders. Network Rail will work closely with Bedford Borough Council to ensure that legal obligations are fulfilled and that the trees and community garden are as unaffected as possible.

#### The loss of Intercity services to the north of Bedford

- 11.2.7 The application for the proposed Order is concerned with changes to the rail network and does not relate to the timetabling of train services. As such Network Rail is unable to comment on any issues relating to the Intercity services referred to in this objection.

#### The level of consultation undertaken for this Order within Bedford

- 11.2.8 A draft consultation strategy for statutory and community stakeholders was shared with Bedford Borough Council as part of the Transport and Works Act Order pre-application consultation process.
- 11.2.9 Copies of all the Order application documents were sent to Bedford Library, and the Library confirmed that the Order application documents from Network Rail had been received and had been made available to the public from 22<sup>nd</sup> June 2018. The application documentation was also made available in five other local locations and accessible online. The locations and

availability of the consultation information had been publicised in locally-circulating newspapers, as required by statute.

11.2.10 Members of the public living within a minimum of a 2 mile radius of Bromham Road Bridge received flyers by post inviting them to a consultation event on the 20th of April 2018. This consultation event was also publicised as an advertisement in local newspapers with a combined circulation of 136,000 people.

11.2.11 Following feedback from members of the public, it was decided to hold a second public consultation on the 24th of May 2018.

11.2.12 Approximately 350 members of the public attended the consultation events and a total of 399 members of the public responded in writing to the consultation process.

11.2.13 Throughout the consultation process, members of the public were able to submit feedback on the proposed project in a number of different ways

- Online via the Network Rail website
- By email to a dedicated email address
- Online via a dedicated consultation portal
- Freepost feedback cards
- By telephone to the Network Rail National Helpline Number

11.2.14 There were several advantages to utilising the Network Rail National Helpline during the project; every call to the helpline is logged, auditable, dealt with by trained members of staff and requires response and close-out within strict time frames. Directing enquiries and complaints to the national helpline is a Network Rail standard which eliminates confusion and improves efficiency. To enhance this process further, the helpline staff will also be briefed on the works at Bromham Road Bridge when the programme is confirmed in line with the agreed consultation strategy.

11.2.15 With regard to a lack of notification letters being sent prior to piling activities for OLE, this was caused by a singular update to mapping software which resulted in several postcodes being missed from the distribution list. This technical fault was repaired immediately and the situation continues to be monitored. It is not anticipated that this issue should arise again.

Cyclists who fail to dismount on the temporary pedestrian bridge for the duration of the works to Bromham Road Bridge

11.2.16 Cyclists will need to dismount before using the temporary bridge, and should not cause a nuisance by attempting to cycle across the temporary pedestrian bridge. There will be appropriate signage on the temporary bridge and the usage will be monitored for the duration of the works. The temporary bridge will be compliant with the requirements of a diversity impact assessment undertaken by Network Rail, and will include ramped returns making it more difficult to cycle across the bridge. Whilst these measures cannot guarantee absolutely that people will not attempt to cycle across the temporary structure, causing a nuisance to pedestrian users, it will deter the majority and is the most enforceable, effective solution.

The disruption to nearby residents and users of Bromham Road Bridge for the duration of the works

11.2.17 While working as efficiently as possible to minimise the duration of any disruption, the safety of the general public and our workforce is our number one priority. This often requires road closures as well as work at weekends/bank holiday and overnight when trains are not running.

11.2.18 Network Rail continues to work closely with Bedford Borough Council regarding a mutually acceptable start date for our work and a suitable road closure/vehicle diversion route for Bromham Road. To ensure both objectors and the wider community are kept informed Network Rail will continue to communicate information as it becomes available through public events, mail drops, press releases and advertising.

11.2.19 The bridge reconstruction itself will take approximately 7 months, however this will be preceded by a period of up to 6 months during which the utilities and services running through the structure need to be removed. It should be noted that once a start date is known Network Rail will work closely with utility providers with the aim of reducing the length of the closure as far as it is safe and practicable to do so.

11.2.20 Throughout the consultation process Network Rail has adapted its approach and reduced disruption for Bedford Station car park users by reducing the proposed size of its compound and the number of car parking spaces required to enable construction. Network Rail is in continuing discussions with Govia Thameslink Railway (GTR) to explore further options for reducing impact to the car park at Bedford Station.

11.2.21 One comment was received which suggested the use of pre-cast concrete as a construction methodology. Pre-cast concrete pieces will be used during the construction of this bridge,

including pre cast reinforced concrete beams that form the deck and parapets and pre-cast reinforced concrete units that are mounted on the existing brick piers. The use of pre-fabricated elements contributes to a more efficient construction process.

#### Alternative routes during works to Bromham Road Bridge

11.2.22 Network Rail is working with GTR, who operate the car park at Bedford Station, to reduce disruption as far as practicable. The alternative routes for vehicles are yet to be finalised and Network Rail will continue to work with Bedford Borough Council to ensure that disruption on the roads is minimised as far as is practicable.

#### The height of the rebuilt Bromham Road Bridge

11.2.23 Network Rail has produced a Diversity Impact Assessment of the bridge in this location, which anticipates the likely effects of the work on the characteristics protected by the Equality Act 2010, and identifies suitable mitigation against any potential negative impacts where possible. This document has informed the proposed design of the new structure, which will comply with current highway standards. The gradient of the proposed bridge deck aligns with the requirements of the Equality Act 2010 and Highways England's current Design Manual for Roads and Bridges (**NR 28**).

#### Adverse impacts on public rights of way, adverse impacts to highway network by obstruction and severance in Northamptonshire

11.2.24 Apart from in relation to Souldrop Level Crossing, this Order application does not result in any permanent closure of the highway network – roads or Public Rights of Way. The air rights are for oversailing the public highway and are not proposed to interfere with passing traffic on roads or rights of way users. For works to bridges over the railway, these air rights are to enable the intermittent use of a crane during the construction process. Air rights sought at viaducts will enable the installation of overhead line equipment (OLE) on the exterior of these structures. Road and Right of Way closures will be temporary and diversion routes will be identified and agreed with local highways authorities in advance of works commencing. Indicative durations of closures will be identified, and these will be discussed with local highways authorities. Existing access from the highway network will be maintained for the duration of works to residences and premises. This objection was withdrawn on 2<sup>nd</sup> October 2018.

#### Adverse impacts on the consented Stanton Cross / Route Development

11.2.25 The objection made by Bovis Homes Ltd primarily covers the impact of the proposed Order scheme on its consented Stanton Cross/Route 2 development and the housing development to be served by it. Network Rail does not consider that the reconstruction of Irthlingborough Road Bridge will have a significant impact on this proposed development. Network Rail will continue to discuss its proposed works with Bovis Homes Ltd, with a view to ensuring that both schemes can be delivered.

#### Suitability of roadways and security at Odell Viaduct

11.2.26 The condition of the roadways is not suitable for heavy access vehicles and plant at Odell Viaduct, and the use of this roadway would adversely impact on the security of a research and development site. The access route has been amended and agreement reached with relevant landowners. Therefore land requirements relating to Odell Viaduct have been withdrawn from the Order application

#### Adverse impacts to factory car park at Isham Station Road

11.2.27 Concerns have been raised by a landowner regarding the proposed works adversely impacting on access to the car park used by employees, and the safety impacts of crane use above the car park while it is in use. Network Rail is considering alternatives that will reduce the impacts on the factory car park at this location, and progressing negotiations with the relevant landowner.

#### Environmental Noise and Impact at Odell Viaduct

11.2.28 There are a number of residential properties occupied by a variety of tenants (including vulnerable tenants). Concerns have been raised about the impact of noise on residential tenants, and potential environmental impact such as damage to hedgerows and potential for spillages for contaminative substances such as diesel. The access route has been amended and agreement reached with relevant landowners, which addresses these concerns. Therefore there is no longer a requirement for the access route and the land acquisition at this location, and land requirements for Odell Viaduct will be removed from the proposed Order.

#### Protective provisions to be made within the Order for a statutory undertaker

11.2.29 Cadent Gas has apparatus within the structures at Irthlingborough Road and Bromham Road, and has expressed a desire for protective provisions to be included within the Order in relation to its apparatus. Protective provisions have been drafted and discussions are underway between Network Rail and Cadent Gas.

## APPENDICES

### APPENDIX 1 List of Documents

Network Rail intends to refer or put in evidence the documents listed below. These (together with any statements or documents served on the applicant under Rule 7(5) of the TWA Inquiries Rules (**NR 10**) may be inspected free of charge until the date of the commencement of the inquiry. Locations and times where core documents may be inspected prior to the public inquiry are available in **APPENDIX 3**.

REF	DOCUMENT NAME
<b>Order Application Documents</b>	
<b>NR-01</b>	TWA Application to SoS for Land Acquisition Order
<b>NR-02</b>	The Draft Order
<b>NR-03</b>	Explanatory Memorandum
<b>NR-04</b>	Statement of Aims
<b>NR-05</b>	Report Summarising Consultations Undertaken
<b>NR-06</b>	Funding Statement
<b>NR-07</b>	Estimate of Costs
<b>NR-08</b>	Screening Decision Letter
<b>NR-09</b>	Request for Planning Permission
<b>NR-10</b>	Planning Drawings
<b>NR-11</b>	Land, Works and Rights of Way Plans and Sections
<b>NR-12</b>	Book of Reference
<b>Other Supporting Documents</b>	
<b>NR-14</b>	HLOS Statement CP5
<b>NR-15</b>	Transport and Works (Inquiries Procedure) Rules 2004
<b>NR-16</b>	Network Rail Licence
<b>NR-17</b>	S8 of the Railways Act 1993
<b>NR-18</b>	Railway and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS)
<b>NR-19</b>	Part 8 of Schedule 2 -Town and Country Planning (General Permitted Development) Order 1995 (GPDO)
<b>NR-20</b>	Part 18 of Schedule 2 -Town and Country Planning (General Permitted Development) England Order 1995 (GPDO)
<b>NR-21</b>	Section 90(2A) of the Town and Country Planning Act 1990
<b>NR-22</b>	Level Crossing Safety Strategy 2015 to 2040
<b>NR-23</b>	Town and Country Planning (Environmental Impact Assessment) Regulations 2011
<b>NR-24</b>	Management of Health & Safety at Work Regulations 1999

REF	DOCUMENT NAME
NR-25	Strategy for Regulation of Health & Safety risks – Level Crossings
NR-26	CP5 Enhancement Delivery Plan (2014 to 2019)
NR-27	Hendy Report (November 2015)
NR-28	Design Manual for Roads and Bridges Vol 6
NR-29	Network Rail Environment Policy
NR-30	Network Rail Health & Safety Management System Sep 2018
NR-31	Network Rail East Midlands Route Utilisation Strategy
NR-32	National Planning Policy Framework (NPPF) July 2018
NR-33	National Policy Statement for National Networks December 2014
NR-34	Highway & Railway Nationally Significant Infrastructure Project) Order 2013
NR-35	Bedford Local Transport Plan 2011-2021



**APPENDIX 2    List of attachments**

<b>NR-D1</b>	Summary of Consent Applications for the L2C project
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## APPENDIX 2

### NR-D1 Summary of Consent Applications for the L2C project

DESCRIPTION OF PROPOSED WORKS	CONSENT TYPE	LOCAL PLANNING AUTHORITY	DATE OF APPLICATION
Bridge recon Cottingham Rd	Part 18 Prior Approval	Corby	18/01/2018
Re-construction of Earwig Lane bridge	Part 18 Prior Approval	Bedford	09/04/2018
Reconstruction of Isham Station Road Bridge	Part 18 Prior Approval	Wellingborough	26/03/2018
Change to Operational Railway to facilitate new feeder station for power & distribution - Irchester	planning permission		
Bridge Reconstruction SPC3 53 - Headlands	Part 11	Kettering	05/02/2015
Reconstruction of Cottingham Road bridge	Part 11	Corby	12/05/2015
Reconstruction of Ford End Road Bridge	Part 18 Prior Approval	Bedford	10/06/2015
Reconstruction of Bridge SPC246 -HARTOPS BRIDGE	Part 11	Bedford	14/01/2014
Reconstruction of bridge SPC2 57 - MOOR END LANE	Part 11	Bedford	15/01/2014
Reconstruction of bridge SPC2 68 - ODELL VIADUCT	Part 11	Bedford	15/01/2014
Reconstruction of bridge SPC3 67 -HARROWDEN ROAD	Part 11	Wellingborough	16/01/2014
Change to Operational Railway to facilitate new feeder station for power & distribution - Sharnbrook	planning permission	Bedford	20/11/2015
Bridge Reconstructions for WYM3	Part 11	Bedford	26/02/2014
bridge Reconstruction for WYM5	Part 11	Bedford	12/03/2014
Bridge Reconstruction for SPC2 73	Part 11	Bedford	27/02/2014
Bridge Reconstruction - SPC2/52 - Radwell Rd	Part 11	Bedford	15/04/2014
Bridge Reconstruction - SPC2/61 - Templars Way	Part 11	Bedford	15/04/2014
Bridge Reconstruction SPC2 78 - Fast Line Span	Part 11	Wellingborough	29/05/2014
Bridge Reconstruction SPC3 60 - Randles	Part 11	Wellingborough	29/05/2014
Temporary Access Road -HARTOPS BRIDGE	Planning Permission	Bedford	11/07/2014
Bridge Reconstruction for WYM3 - Revised Replacement Bridge	Part 11	Bedford	26/08/2014
Bridge SPC3/44 Reconstruction	Part 11	Kettering	20/03/2013
Bridge SPC3/56 Reconstruction	Pt31 Prior Approval	Kettering	20/03/2013
Bridge SPC3/64 Reconstruction	Part 11	Wellingborough	20/03/2013
Be. SPC3/43 F/B Reconstruction	Part 11	Kettering	15/07/2013
Reconstruction of Bridge. SPC2-56 (Pecks)	Part 11	Bedford	20/11/2013
Reconstruction of Bridge. SPC2-62 (Cob Hall)	Part 11	Bedford	20/11/2013
Reconstruction of Bridge. SPC2-53 (New Road)	Part 11	Bedford	20/11/2013
Reconstruction of Bridge. SPC2-42 (Lower Bridge Farm)	Part 11	Bedford	20/11/2013
Reconstruction of Bridge SPC2-42 (Soul Drop Road)	Part 11	Bedford	03/12/2013

### **APPENDIX 3 Locations where core documents may be inspected prior to the public inquiry**

In accordance with Rule 7 of the Transport and Works (Inquiries Procedures) Rules 2004, a copy of every document or the relevant part of any document which Network Rail intends to refer to or put in evidence, together with a copy of every Statement of Case served by every other party and of every document served with them (once received and copied by Network Rail) may be inspected free of charge and, where practicable and subject to the payment of a reasonable charge, copied, at the following locations between 12<sup>th</sup> October 2018 and 3<sup>rd</sup> February 2019 at the following times:

<b>PLACE</b>	<b>TIMES</b>
Bedford Central Library Harpur St, Bedford MK40 1PG	Mondays to Saturdays 9am to 6pm Sundays 10am to 4pm
Wellingborough Library 7 Pebble Lane, Wellingborough NN8 1AS	Mondays to Fridays 9am to 6pm Saturdays 9am to 5pm

Copies of all documents are also available to view and download at: [www.networkrail.co.uk/lc-twao](http://www.networkrail.co.uk/lc-twao)

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