

THE NORTHUMBERLAND LINE

OPENING SUBMISSIONS ON BEHALF OF THE PROMOTER

Introduction

1. The promoter (“NCC”) seeks an Order under the Transport and Works Act 1992 which will enable the re-introduction of rail passenger services between Ashington and Newcastle (“the Scheme”). The Scheme involves the construction of six new stations along the existing freight line and related works to deliver new public transport facilities to South Northumberland. The Scheme would stimulate economic activity, create job opportunities and improve transport links in a region which, for decades, has experienced industrial decline, social deprivation and poor transport connectivity. It would, in short, help rejuvenate a part of the North East that has long been crying out for investment. The Scheme has the clear potential to be a game-changer for a region which is firmly on the up.
2. The proposal is to create a new passenger terminus in Ashington. Trains will run from there, twice an hour, to Newcastle Central. New stations will serve Bedlington, Blyth Bebside, Newsham, Seaton Delaval, and Northumberland Park where there will be an interchange with the Metro. To the south of Northumberland Park, trains will run on to the East Coast Mainline and from there to Newcastle Central. The journey from Newcastle Central to Ashington will take about 35 minutes.
3. The role of the Order in authorising the Scheme is essential but limited. Most of the works required for the Scheme have been or will be authorised through the planning system. Permission for the six new stations has been or will be granted by the relevant local planning authorities. Some of the necessary works within the operational rail corridor have been or will be carried out under permitted development rights.
4. The Order which NCC seeks at this Inquiry would not authorise these works. In the main, the purpose of the Order would be to authorise the acquisition of land and rights to enable the Scheme’s implementation. In summary, the Order would provide:
 - a. Powers for the compulsory purchase of land and rights over land;

- b. Powers to use land temporarily to construct works that have been authorised through the planning system;
 - c. Authorisation for the closure of level crossings and for associated extinguishments and diversions of public rights of way; and
 - d. Through the application for deemed planning permission, authorisation for ancillary works, such as the construction of temporary worksites.
5. I will summarise the need for the Scheme and its benefits, before explaining why the Order's proposed authorisations are necessary to ensure these benefits come to fruition.

Need for the Scheme

6. For over half a century, “withdrawal” has defined South East Northumberland. In the 1960s, long-running passenger services on the Northumberland Line were terminated after being introduced nearly a century earlier. In the 1980s, the key industries upon which the region relied – ship building and mining – collapsed, resulting in high levels of unemployment and deep pockets of social deprivation. And in recent years, economic activity and employment opportunities have moved to urban centres like Newcastle, leaving the region with a lack of inward investment, skills shortages, and a growth rate that lags behind the rest of the North East.
7. Poor transport links cause and compound these problems. There are good highway links from the region to North Tyneside and Newcastle, but the network is congested in peak periods and journey times can be unreliable. A comprehensive bus network connects South East Northumberland with Tyne and Wear, yet journey times are long and services congested. Cramlington and Morpeth have rail services, but residents in other South East Northumberland towns like Ashington and Blyth lack access to train links. In short, the region lacks a reliable, affordable and comprehensive public transport network that connects its communities together and to the key economic hubs of Tyne and Wear.
8. The status quo needs to change. If nothing is done, either a heavy price is paid for continued economic growth in terms of congestion and impacts on matters such as air quality; or that economic growth is inhibited. Most likely, it would be a mix of the two, with a risk that growth becomes unsustainable. The price is not just economic, but the compromise of opportunities for the region's residents.

9. Happily for these purposes, a trainline already passes through these communities. And thankfully, a continued demand for freight traffic has kept the line operational despite the historic mistake of abandoning the route for passenger services. There is both a need, and a clear opportunity.

Benefits of the Scheme

10. The benefits of the Scheme are clear and profound. They are not seriously doubted by any objector, and there is strong public support [APP-04]. However, it is important that the lack of challenge to these benefits does not mean they are forgotten about at this Inquiry.
11. The Scheme will improve access from towns such as Ashington and Blyth to employment hubs like Newcastle, as well as opening up new opportunities for education and travel. Existing opportunities within South East Northumberland will be more available to the region's residents. As Stuart McNaughton's evidence will demonstrate, business clusters near to the line, such as the Northumberland Energy Park in Blyth, have the potential to create thousands of jobs if they are adequately connected to the region's labour pool.
12. The creation of new routes to existing economic centres such as Newcastle will serve as a stimulus for the region. There will be new access to well-paid and skilled jobs as well as educational and cultural opportunities. This part of Northumberland will become a more attractive place to live and work.
13. Improving access can then serve as a catalyst for investment. Several strategic employment sites, particularly Blyth Estuary, have been identified in South East Northumberland, but their success depends on transport connections. The Scheme could also help NCC meet its housing targets by delivering housing sites in a sustainable way. Existing opportunities – both established and nascent – will be strengthened and supported. For example the Scheme provides close connections to the Cobalt Business Park in North Tyneside, and offshore wind and advanced manufacturing plants to the south of the region. The recently consented Britishvolt Gigafactory, along with the development of Blyth as an offshore energy base, indicates that the region will have a place at the heart of a green industrial future which surely must be served by sustainable transport choices. The Scheme can directly support growth in these sectors. Time and again transport infrastructure schemes have been shown to catalyse economic growth.

14. The Scheme can also help to distribute growth, and create economic networks, across the surrounding areas. Since the region brings together the borderlands, it could help create an East Coast economic powerhouse from Edinburgh to Leeds if it has sufficient connectivity. There is no doubt that strong connections between centres can directly promote economic growth.
15. Whilst the Scheme is decidedly (and proudly) a regional Scheme, it contributes to sustainable economic growth at a national level. The national economy would benefit from a more efficient transportation of people, business creation, and higher employment rates. The Scheme has been identified as an important “Project SPEED” initiative and is expressly identified in the National Infrastructure Strategy (2020). It would also benefit from a reduced reliance on public sector employment and government intervention at the local government level.
16. Rail schemes such as this can also help address social isolation and deprivation. If the Scheme is introduced, journey times from Ashington to Newcastle could be 35 minutes by public transport. This would open up employment, education and leisure opportunities to people who would not otherwise have them. Again, this would also enhance the profile of South East Northumberland as an attractive place to live and visit.
17. The Scheme also delivers clear environmental benefits with relatively limited construction works. The Scheme would secure a significant shift from car to public transport within the Northumberland Line corridor, which would reduce highway congestion and improve local air quality. The Scheme would further support environmental objectives by connecting the region to new green jobs in the energy sector.
18. When the Scheme’s benefits are considered through the dispassionate lens of Treasury economic analysis they deliver “very high value for money”. The Scheme is predicted to generate 1.45 million return journeys by 2039. The benefit to cost ratio is over 4:1 when wider economic benefits are included.
19. The Scheme clearly can be funded. It is edging towards the approval of a Full Business Case – reflecting the speed which has been applied to the project. It has the support of partners within the North East, including the North East Joint Transport Committee, and has already received funding from NCC, the Department of Transport and Network Rail. Since the Scheme represents “very high value for money”, it is likely that resources will be available to implement it.

20. These clear economic, social and environmental benefits are weighty considerations in favour of making the Order. The Scheme is the means of delivering the benefits. There has been a longstanding need for this type of investment and now, finally, its time has come.

Compliance with national, regional and local policy

21. The Scheme complies with – and indeed furthers – national, regional and local policy.
22. At the national level, the social, economic and environmental benefits of the Scheme support the National Planning Policy Framework’s [APP-28] presumption in favour of sustainable development and its support for sustainable transport. The Scheme also accords with the National Policy Statement for National Networks [APP-27], which sets out the Government’s strategic objectives for national networks, because it would the “support national and local economic activity, facilitate growth and create jobs”, support the delivery of environmental goals, and “join up communities” to one another.
23. At the regional level, the Scheme furthers strategic transport plans. The North East Transport Plan [APP-36] provides clear support for the re-introduction of passenger services on the Northumberland Line to widen access to jobs, grow the economy and reduce social deprivation. Similarly, the Transport for the North Strategic Transport Plan [APP-37] emphasises the importance of more efficient, reliable and sustainable rail journeys in growing the Northern Powerhouse.
24. At the local level, the Scheme complies with planning policies, transport policies and economic strategy. The detailed planning case has been articulated and accepted in the context of the planning permissions already obtained in connection with the Scheme. The North Tyneside Local Plan [APP-31] requires future transport provision to consider economic and housing growth. The Northumberland Local Transport Plan [APP-32] considers the current problems with public transport to be a reason for supporting rail travel, before identifying the re-introduction of passenger services on the Northumberland Line as a principal element of its rail strategy. And the Northumberland Economic Strategy [APP-35] highlights the Scheme as a key means of improving connectivity in the region and delivering industrial growth, identifying it as a “major priority”.

The need to acquire land and rights over land

25. The Scheme can only be delivered with the acquisition of new land and rights. The rail corridor itself already exists, but land is needed to deliver the new stations and related infrastructure to bring passenger services back to the line.
26. Any proposed use of statutory authority to interfere with the land and rights of others requires care and attention. NCC accepts that it must show a “compelling case” for such interferences. Put shortly, the profound benefits set out above provide that compelling case.
27. It is not surprising that a Scheme of this ambition requires the acquisition of land and rights over land. What is, perhaps, surprising is that the acceptability of compulsory acquisition, as proposed in the Order, is now a central issue in determining whether the Scheme as a whole proceeds.
28. This inquiry will hear evidence on behalf of Malhotra Commercial Property Limited, which owns a parcel of land which is required to be used as a car park for the new Ashington Station. The objector wishes to develop that land as a care home and has an undetermined planning application for such development. It questions whether a car park in the proposed form is required to serve the new terminus for the Northumberland Line. NCC will show that there is a clear case for seeking to acquire Malhotra’s land for these purposes. The demand for parking spaces to allow users to access the railway will be demonstrated. In granting planning permission for the station, the local planning authority has accepted that case and required the delivery of the car park on Malhotra’s land. Without that land, the benefits of the Scheme will be compromised. NCC has tried, but failed, to acquire Malhotra’s land by agreement and there seems little prospect of resolving the objection.
29. The inquiry will also hear evidence on behalf of the Northumberland Estates and Lord Hastings, who oppose Article 35 (now Article 34) of the Order. When the railway was constructed in the nineteenth century certain landed estates negotiated “wayleave leases” which permitted the railway to cross their land without Parliament having to authorise the acquisition of the land compulsorily. The leases require the payment of a rent on terms which are obscure and obviously inimical to the operation of the modern railway. It is time for those arrangements to be brought to an end. The estates will be compensated on normal principles but will not, thereafter, be able to take a rent from the operation of an important regional railway nor to threaten again to prevent the use of the railway in a dispute over

that rent. The Secretary of State will no doubt see the clear case for bringing the Victorian arrangements to an end. Negotiations continue and, it is hoped, that the scope of the dispute may narrow.

30. Negotiations continue with other objectors and it is hoped that more objections will be withdrawn during the course of the Inquiry. NCC can demonstrate a compelling case for each part of the land and powers in question.

The need to use land temporarily and carry out ancillary works

31. The implementation of the Scheme necessitates land to be used temporarily during the construction of the Scheme. Although there is consensus that most of these authorisations are necessary, and the operational development itself is authorised by planning permission and not by this Order, there are several objections to these aspects of the proposals.
32. At Bedlington, the new station will be in the location of the long since closed former station. This means that the amount of third party land required is limited but the new western platform necessitates the acquisition of certain land and rights. The Bernicia Group is a registered provider of social housing. At Bedlington, it operates a sheltered housing scheme at Sleekburn House. The effect of the Scheme – both in construction and operation – on the residents of Sleekburn House is agreed to be a matter of importance. The planning permission for the new station includes specific conditions to address noise impacts. NCC is keen to work with Bernicia to develop the detail of these mitigation measures and it is hoped that this can resolve or at least narrow the dispute between NCC and Bernicia. It is important to recall, however, that the Order does not seek to authorise the works of construction which are in issue; nor does it seek to authorise the use of the railway which continues to benefit from Parliamentary authority. Thus whilst Bernicia's concerns are important, and whilst NCC is firmly committed to continuing to work with Bernicia to resolve them, they are in fact of limited relevance to the matters in issue in the Order itself.
33. At the proposed Northumberland Park station, owners and occupiers of properties at Fenwick Close have objected principally on the grounds of the impacts of construction on their properties and the temporary use of land in connection with those works. The construction of the station requires a temporary worksite. However, the impacts will be managed and minimised, including through the proposed conditions to be applied to the deemed planning permission. The proposed station already benefits from a grant of planning permission in the context of which these impacts have been considered.

The need to close level crossings, and to extinguish and divert public rights of way

34. Lastly, NCC requires authorisation for the closure of level crossings, and the extinguishment and diversion of public rights of way. Level crossings bring risk to the railway, and the risk profiles of crossings may change through the arrival of the Scheme as a result of more, and faster moving, trains. In some locations, Network Rail and NCC have concluded that the closure of the level crossing in question is the appropriate means of addressing these changes in risk profile.
35. There is in fact little dispute about most of the level crossing changes, the case for which is summarised in Darren Lord's evidence. At Hospital Crossing in Ashington, objections have been raised to the proposed underpass on the basis that it may attract increased antisocial behaviour. There have been objections to the planning application in the same terms. The case for closing the crossing is clear and not substantially disputed. However, NCC has noted the strength of feeling about the proposed underpass. It has asked the local planning authority not to proceed to determine the application for the time being, to allow further consideration of the feasibility and acceptability of alternative options in connection with the closure of the existing level crossing. A process for considering those alternatives is now underway and will involve liaison with Network Rail, the local planning authority, the local highway authority, the local community and other stakeholders. The outcome of that process will be reported in due course. If the process does not identify any suitable alternatives, the project will ask the local planning authority to determine the planning application for the underpass. In the meantime, and in the absence of any real case against level crossing closure, the proposed powers in the Order remain unchanged.

Conclusion

36. There is a compelling case for making the Order to allow the Scheme to be delivered. The Scheme's benefits are clear and profound. This is a once in a generation opportunity.
37. The Inquiry will necessarily concern itself with, and carefully consider, the objections to the Order. But it is important to recall why we are here: to deliver the Scheme and with it great economic, social and environmental benefits to the region. We will therefore be asking the Inspector to recommend that the Order is made, and inviting the Secretary of State in due course to make this Order.

Richard Turney
Landmark Chambers

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