

The Northumberland Line Order

The Transport and Works (Inquiries Procedure) Rules 2004

Statement of Case for the Applicant Northumberland County Council

3 September 2021



Northumberland
County Council

Ref: TWA/21/APP/02

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE NORTHUMBERLAND LINE ORDER 202[*]

STATEMENT OF CASE

03 September 2021

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GLOSSARY OF TERMS

Term / Acronym	Meaning
1992 Act	The Transport and Works Act 1992
2006 Rules	The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (S.I. 2006 No.1466)
Application	The application for the Order
ABCL	Automatic half-Barrier Crossing Locally Monitored
AHB	Automatic Half Barrier
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
DfT	Department for Transport
ECML	East Coast Main Line
EIA	Environmental Impact Assessment
FP	Footpath crossing
GPDO	Town and Country Planning (General Permitted Development) (England) Order 2015
Inquiries Rules	The Transport and Works (Inquiries Procedure) Rules 2004 (S.I. 2004 No. 2018)
Integrated MSL	Integrated Miniature Stop Lights
NCC	Northumberland County Council, also the “Applicant”
MCB	Manually-Controlled Barrier
MCB-CCTV	Manually-Controlled Barrier monitored by CCTV
Network Rail	Network Rail Infrastructure Limited
Network Change	Has the meaning given in the Network Code
Network Code	The code setting out the rules applying to all regulated Access Agreements on Network Rail’s network
Northern Trains	Northern Trains Limited
NTC	North Tyneside Council
OBC	Outline Business Case
Order	The Northumberland Line Order 202[x]
Order Scheme	The works proposed to be authorised by the Order
OMSL	Overlay Miniature Stop Lights
ORR	Office of Rail and Road
PRoW	Public Right of Way
RNEP	Rail Network Enhancements Pipeline [APP38]

Term / Acronym	Meaning
Scheme	The Northumberland Line Project
Sleeping Dog	A level crossing that is unused but for which rights remain
TCPA 1990	Town and Country Planning Act 1990
TfN	Transport for the North
TWAO	Transport and Works Act Order
UWC	User-Worked Crossing
UWC-T	User-Worked Crossing with Telephone
WG	Wicket Gate

1. INTRODUCTION

- 1.1 On 26 May 2021, Northumberland County Council ("**NCC**" or "**the Applicant**") submitted an application ("**the Application**") to the Secretary of State for Transport to make the Northumberland Line Order ("**the Order**"). The Application was made under sections 1 and 5 of the Transport and Works Act 1992 ("**the 1992 Act**") [**APP16**].
- 1.2 The Order, if made, would authorise various matters in connection with the Northumberland Line project ("**the Scheme**") which will re-introduce passenger services onto the existing freight line between the city of Newcastle upon Tyne and the town of Ashington in Northumberland [**APP1**]. In particular, the Order would authorise the compulsory acquisition and temporary use of land, the closure of level crossings and associated diversions of rights of way, and a limited range of works required in connection with the Scheme.
- 1.3 The purpose of the Scheme is to support and stimulate economic growth, regeneration and community development in Northumberland and the surrounding regions by improving connectivity for people and businesses. The re-introduction of passenger services on this line will improve access to towns such as Blyth and Ashington to the employment hub of Newcastle; provide an incentive for potential employers to relocate to and invest in the area; provide vital infrastructure to help deliver the region's aspirations for population and economic growth, and help attract visitors and improve local tourism. The Scheme also aims to encourage a shift from private car use to rail travel, thereby assisting in reducing congestion and improving journey times both on the local highway network and for users of public transport.
- 1.4 The majority of works to be carried out for the Scheme will either be the subject of separate applications to the relevant local authorities for planning permission or will be carried out as permitted development under Class A of Part 8 and Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("**the GPDO**") [**APP21**]. The additional matters proposed to be authorised by the Order are necessary to facilitate the delivery of the Scheme.
- 1.5 The Application was submitted in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (S.I. 2006 No.1466) ("**the 2006 Rules**") [**APP19**] and has been the subject of publicity and notices in accordance with these Rules.
- 1.6 The Application includes a request for deemed planning permission under s.90(2A) of the Town and Country Planning Act 1990 ("**the TCPA 1990**") [**APP17**]. The Application and the documents submitted with it are listed in Appendix A. It has been given reference TWA/21/APP/02 by the Department for Transport ("**DfT**")
- 1.7 The Transport and Works (Inquiries Procedure) Rules 2004 (S.I. 2004 No. 2018) ("**the Inquiries Rules**") [**APP20**] require the Applicant to provide a Statement of Case. This document is NCC's Statement of Case for the purpose of the Application and it contains full particulars of the case NCC intends to make at Inquiry in support of the Application. The statement is to be served under Rule 7 of the Inquiries Rules.
- 1.8 The Statement of Case is arranged as follows:
- a) Section 2 describes the Application;
 - b) Section 3 describes the Application documents;
 - c) Section 4 describes the context of the Application;
 - d) Section 5 describes the Scheme;

- e) Section 6 describes the case for the Scheme;
 - f) Section 7 provides an overview of the relevant national, regional and local policies relating to the Scheme;
 - g) Section 8 describes the strategy for acquisition of land and rights required to deliver the Scheme;
 - h) Section 9 describes the proposed level crossing closures and changes to public rights of way;
 - i) Section 10 explains the request for deemed planning permission;
 - j) Section 11 summarises the environmental effects of the Scheme;
 - k) Section 12 describes how the Scheme has developed from conception to submission of the Application;
 - l) Section 13 summarises the funding for the Scheme;
 - m) Section 14 describes how the Scheme will be delivered, the key milestones and parties involved; and
 - n) Section 15 summarises the objections, responses in support and representations.
- 1.9 Appendix A contains a list of the documents which the Applicant intends to refer to or submit in evidence at the Inquiry. Appendix B is the notice required by Rule 7(2)(b) of the Inquiries Rules containing details of the locations and times at which the documents will be available for public inspection prior to the opening of the Inquiry.
- 1.10 In this Statement of Case, reference numbers for the documents that have been included in the list in Appendix A are given in bold.
- Scheme overview**
- 1.11 The Scheme provides six new railway stations and a range of infrastructure and system upgrades to support the introduction of a passenger service to those stations.
- 1.12 The six stations will be (working north to south) at Ashington, Bedlington, Blyth Bebside, Newsham, Seaton Delaval and Northumberland Park, where the station connects with the NEXUS metro services as shown in Figure 1.
- 1.13 Passenger services will run as a shuttle between Ashington and Newcastle Central, adopting the East Coast Main Line (“**ECML**”) between Benton North junction and Newcastle Central where no changes are necessary to the infrastructure or systems.

Figure 1 Route overview diagram



- 1.14 The existing railway infrastructure is currently used for freight services only since the withdrawal of passenger services as part of the national railway rationalisation exercise in the early 1960s.
- 1.15 The track ride quality and line speed requirements for freight are much lower than are required to run a passenger service efficiently and hence a range of infrastructure (track, earthworks, bridges, stations) and systems (signalling, level crossings, telecommunications, and power supply) interventions are required.
- 1.16 As well as the stations described above, the infrastructure interventions include improvements to the track with its supporting earthworks and bridge structures to provide suitable ride quality for passenger trains.
- 1.17 The systems interventions include an upgrade to the existing signalling system and modifications or removal of level crossings to meet operational performance requirements and modern safety standards. This is necessary because the increase in number of trains and the shift to passenger services with many people on board creates an increase in the risk profile of each level crossing and requires suitable mitigations.
- 1.18 Between Benton North Junction, where the Northumberland Line departs the East Coast Main Line, and Northumberland Park, the route largely runs parallel with the NEXUS Service. The two services remain physically separate because the complexity of mixing two different rolling stock, signalling, traction and telecoms systems would be disproportionately expensive to manage and introduce operational resilience risk to both services.

2. THE APPLICATION AND KEY STAKEHOLDERS

- 2.1 The Applicant is the unitary authority for the County of Northumberland and is a local authority within the meaning of the Local Government Act 1972 **[APP18]**.
- 2.2 Section 20 of the 1992 Act **[APP16]** provides that a body which has power to promote or oppose Bills in Parliament also has power to apply for or object to Orders under sections 1 and 3 of that Act, but that the body must comply with any corresponding statutory requirements when doing so. Local authorities have the power under section 239 of the Local Government Act 1972 to promote or oppose Bills in Parliament.
- 2.3 Section 239 of the Local Government Act 1972 (as applied by s. 20 of the 1992 Act) requires that a local authority applying for an Order under the 1992 Act must pass a resolution by a majority of its members at a meeting for which notice has been given by an advertisement placed in one or more local newspapers. The resolution must then be confirmed by majority at a further such meeting at least fourteen days after the application has been made. NCC members passed these resolutions on 24 February 2021 and 1 September 2021.

Involvement of other stakeholders

- 2.4 Several other bodies are closely involved in the delivery of the Scheme alongside NCC. The Scheme is a priority of both NCC and North Tyneside Council ("**NTC**") and is supported by a number of key project partners, including the DfT, Network Rail, Transport for the North ("**TfN**"), Northern Rail and NEXUS. The parties have adopted a collaborative working approach given that each party carries some responsibility for the successful, cost-efficient and timely delivery of the Scheme.
- 2.5 In particular, the DfT has established and is chair of a Northumberland Line Programme Delivery Board ("**PDB**") which acts as the overarching governance and oversight board for the Scheme. It consists of representatives from Network Rail, NCC and Northern Rail. Sitting underneath the Programme Delivery Board, Development Steering Groups ("**DSGs**") are in place to oversee different elements of programme delivery and are empowered to make decisions on matters relevant to their programme element. A Programme Delivery Group ("**PDG**") has been established to act as an oversight panel for the DSGs and an escalation point, however, the PDG does not have the authority to make decisions that may impact on overall Scheme outcomes: this is the purview of the PDB.
- 2.6 Additionally, NCC, Network Rail and the DfT have agreed their respective roles and responsibilities in respect of the Scheme and have committed to act in an open, transparent and collaborative manner with the other stakeholders to deliver the Scheme.

Network Rail

- 2.7 Network Rail owns and operates the rail infrastructure in Great Britain. Its purpose is to deliver a safe, reliable and efficient railway across the country. Network Rail is primarily responsible for maintenance, repair and renewal of track, stations, signalling and electrical control equipment. Network Rail is also the landowner for the majority of land within the railway corridor between Newcastle upon Tyne and Ashington that comprises the Scheme.
- 2.8 Network Rail will be responsible for carrying out a package of works including track improvements for line speed upgrades; installation of new track to reduce the extent of single-track sections between Newcastle and Ashington; level crossing upgrades and associated signalling and power supply changes; replacement and strengthening of existing structures, and any necessary earthworks.
- 2.9 Network Rail will also be responsible for obtaining any rail industry consents required to deliver the operation of the new line for passenger services, including applying for a Network Change and navigating this regulatory requirement. Network Rail and its

advisers are also supporting the Scheme by providing resources to support in decision making and efficient delivery of the Scheme.

- 2.10 A more detailed description of the works within the railway corridor is provided in section 5 (Scheme Description).

3. THE APPLICATION DOCUMENTS

- 3.1 The Application comprises the formal application and those documents required by the 2006 Rules to support it, namely:

- a) Draft Order **[APP1]**;
- b) Explanatory memorandum **[APP2]**;
- c) Statement of aims **[APP3]**;
- d) Report summarising consultations undertaken **[APP4]**;
- e) Declaration of the status of the Applicant **[APP5]**;
- f) Funding statement **[APP6]**;
- g) List of consents, permissions or licences under other enactments **[APP7]**;
- h) EIA screening decision received from the Secretary of State under rule 7 of the 2006 Rules **[APP8]**;
- i) Waiver direction given by the Secretary of State under rule 18 of the 2006 Rules **[APP9]**;
- j) Land and works plans **[APP10]**;
- k) Rights of way plans **[APP11]**;
- l) Book of Reference **[APP12]**;
- m) Estimate of costs **[APP13]**; and
- n) Request for a planning direction under section 90(2A) of the Town and Country Planning Act 1990. **[APP14]**

- 3.2 In addition, the Applicant submitted a document entitled '*The Proposed Northumberland Line Order: A Guide to the Application*' **[APP15]** which explains at a high level the role of the proposed Order in relation to the wider Scheme.

- 3.3 The provisions of the draft Order **[APP1]** are based on the Transport and Works (Model Clauses for Railways and Tramways) Order 2006 (S.I. 2006 No. 1954) **[APP22]**. Each article in the Order is explained in the Explanatory Memorandum **[APP2]**. This includes explanations of where it has been necessary to depart from the Model Clauses (e.g. with additional or amended provisions).

4. CONTEXT OF THE APPLICATION

- 4.1 Part 1 of the 1992 Act provides that orders may be made by the Secretary of State relating to, or to matters ancillary to, the construction or operation of railways and other

guided transport systems. Orders made under the 1992 Act may authorise a range of matters including the compulsory acquisition and temporary use of land, and the creation or extinguishment of rights over land.

4.2 The proposed Northumberland Line Order forms one part of the consenting strategy for the delivery of the Scheme, which includes applications for planning permissions under the TCPA 1990 and the use of permitted development rights under the GPDO.

4.3 The consenting strategy for the Scheme, and the role of the Order within it, is summarised in Table 1 below:

Table 1: Summary of consenting regimes for the Scheme

REGIME	WORKS/MATTERS AUTHORISED
The Order	<ul style="list-style-type: none"> Acquisition of land, and rights over land, and to use land temporarily in connection with the works required to construct and operate the Scheme. Diversion and extinguishment of public rights of way ("PRoW"), primarily in connection with the closure of level crossings required to facilitate the Scheme. Powers to carry out ancillary works including the construction of new footpaths, parking bays, and temporary worksites and haul roads required during construction. Deemed planning permission under s. 90(2A) of the TCPA 1990 for the works authorised by the Order. <p>Together referred to as 'the Order Scheme'</p>
Planning Permission	<ul style="list-style-type: none"> Planning permission under the TCPA 1990 from the relevant local planning authorities in relation to: <ul style="list-style-type: none"> six new railway stations and associated facilities (Ashington, Bedlington, Blyth Bebside, Newsham, Seaton Delaval and Northumberland Park). other railway structures works (Chase Meadows footbridge, Palmersville Dairy underpass and Hospital underpass).
Permitted Development	<ul style="list-style-type: none"> Track improvements for line speed upgrades; installation of new track to reduce the extent of single-track sections between Newcastle and Ashington. Level crossing upgrades and associated signalling and power supply upgrades to facilitate the above track and level crossing changes. Replacement and strengthening of existing structures, and any necessary earthworks. Certain works within the railway corridor to existing underbridges will require prior approvals from the local planning authority.

4.4 The majority of works required for the Scheme, including construction of the six new stations, have been or will be permitted by separate planning permissions that are being sought from NCC or NTC as the local planning authorities. The applications will be decided by the local planning authorities in accordance with statutory procedures and national and local planning policies. Details of the planning applications are shown in Table 2.

Table 2: Planning Application details

Application	Details
Northumberland Park Station (PA: 21/00299/FUL)	The application was submitted to NTC on 29 January 2021, and validated on 3 March 2021. Two objections were received during the statutory consultation period. An extension of time was agreed to deal with a re-alignment of the proposed emergency egress from the new station platform. The application is expected to be determined by NCC in September 2021.
Seaton Delaval Station (PA: 21/02253/CCD)	The application was submitted to NCC on 28 May 2021, and validated on 7 June 2021. The statutory consultation period expired on 28 June 2021 and the application is expected to be determined in November 2021.
Newsham Station	Submission of the application to NCC was delayed in order to resolve objections raised by residents. Confirmation of whether a separate application will be required in respect of the flood compensation works at the station site is outstanding. The application is expected to be submitted in September 2021.
Bebside Station (PA: 21/00878/CCD)	The application was validated by NCC on 5 March 2021 and has been the subject of statutory consultation. Ten objections and 2 comments of support were made in respect of the application. Revisions to the proposed highway layout have been requested NCC Highways and as a result of this an extension of time has been agreed to 30 September to manage and re-consult on these changes. The updated plans are expected to be submitted in September and application is expected to be determined by NCC in October 2021.
Bedlington Station (PA: 21/01106/CCD)	The application was validated by NCC on 18 March 2021 and has been the subject of statutory consultation. Thirty-six objections were made in respect of the application. Revisions to the proposed highway layout have been requested by NCC Highways and as a result of this, additional consultation time will be required. An objection was received from the Coal Authority and as a result a Coal Mining Risk Assessment is being prepared. Subject to the preparation of the Coal Mining Risk Assessment the application is expected to be determined by NCC in October 2021.
Ashington Station (PA: 21/00387/CCD)	The application was validated by NCC on 24 February 2021. One comment in support and one objection was made during statutory consultation. Revisions to the proposed highway layout have been requested NCC Highways and as a result of this additional consultation time will be required. NCC are expected to determine the application at committee on 7 September 2021.
Chase Meadows Footbridge (PA: 21/00388/CCD)	The application was approved by NCC subject to conditions on 9 June 2021.
Palmersville Dairy underpass	Submission of the application is anticipated in September 2021.
Hospital Crossing	Submission of the application is scheduled for September 2021.

- 4.5 The Scheme also includes works which, because of their nature and location within the existing route of the railway, can be constructed using permitted development rights under Class A of Part 8 and Part 18 of Schedule 2 to the GPDO [APP21]. This permitted development covers works which are typically undertaken by Network Rail when upgrading or maintaining the railway including changes to the existing track, laying new

track, upgrading signals and replacing or upgrading existing equipment. Some of the works carried out under Part 18 permitted development rights, including the works to existing underbridges (35 and 36) will require prior approvals from the local planning authority.

4.6 The purpose of the Order is to provide a range of supplementary powers to facilitate delivery of Scheme alongside the permissions described above. In summary, the Order will:

- a) provide powers for the compulsory acquisition of land and rights over land, including at the six station sites and at new railway crossing sites;
- b) provide powers to use land temporarily for the purposes of constructing the works permitted by the planning permissions or under permitted development rights;
- c) authorise the closure of level crossings and associated extinguishments and (where required) diversions of rights of way; and
- d) authorise ancillary works including the construction of new footpaths, parking bays, temporary worksites and haul roads required during construction of the Scheme.

4.7 In this document, the matters proposed to be authorised under the Order are referred to as 'the Order Scheme' to distinguish them from the Scheme as a whole.

4.8 The Application includes a request for a direction that planning permission be deemed to be granted for the development proposed to be authorised by the Order pursuant to section 90(2A) of the TCPA 1990 [APP14]. The request applies to the limited works included in the Order as described above.

4.9 It is envisaged that the deemed planning permission will be subject to conditions. Proposed planning conditions are set out in the request for deemed planning permission in accordance with rule 10(6)(b) of the 2006 Rules.

4.10 The Application was the subject of publicity and notices as required by the 2006 Rules under which objections to, and representations about, the proposed Order were invited to be made to the Secretary of State until 8 July 2021.

4.11 The Department for Transport received 25 responses in support, five 'other' representations and 27 objections.

4.12 As a consequence, and in accordance with the Inquiries Rules, the Secretary of State announced on 9 July 2021 his intention to hold a public local inquiry into the Application.

5. SCHEME DESCRIPTION

5.1 This section describes the different elements of the Scheme the delivery of which is facilitated by the powers in the Order. The Scheme comprises:

- New stations
- Works within the railway corridor
 - Track works
 - Signalling

- Structures
- Earthworks
- Crossings
- Operations

New stations

- 5.2 The location of the proposed stations was determined partly for historical reasons and partly geographical reasons. The original line had several railway stations along the track although relatively little of these stations is left with the exception of derelict platforms at Ashington and one platform with two buildings at Bedlington.
- 5.3 Modern design standards require platforms to be straight and level wherever possible, and modern access expectations create a need at most stations for a car park of sufficient size to meet anticipated demand.
- 5.4 The catchment areas and operational demand at each location also play a role in selection of stations to ensure that there is a sufficient population and not too much overlap to maximise the benefit of each station and avoid the operational penalty of stopping too frequently, which is a disbenefit to all other passengers on board.
- 5.5 There is a further operational penalty associated with providing too many stations which is that the overall journey time increases to the extent that one or more additional trains is necessary to be able to complete the circuit at the required frequency of two train paths per hour in each direction. It is for this reason that additional stations at Woodhorn or further north/east were discounted, though the design of Ashington Station provides passive provision to allow this if future demand justifies the additional operational and infrastructure cost.
- 5.6 The combination of these factors has constrained the potential locations to be used. A summary of the decisions which informed the location of each station is provided below.

Ashington station

- 5.7 The remnants of the historical Ashington station platforms may be clearly seen today on both sides of the railway in the approximate location of the proposed station. Since it is close to the High Street and has space on either side for car parking the location is appropriate for a station to serve this community.

Bedlington station

- 5.8 The historic location of Bedlington, its catchment area, and the lack of alternative suitable space nearby influenced the selection of the proposed station on the footprint of the old station. Although the physical constraints of this site are less than ideal, in particular the curved southbound platform, there are no other suitable locations nearby.

Blyth Bebside

- 5.9 A key determining factor in the positioning of Blyth Bebside station is the level crossing on Front Street, and the A193/A189 interchange roundabout. A station car park that is too close to the level crossing could lead to traffic congestion 'blocking back' over the crossing, and for this reason (amongst others), the car park and station are accessible from the east via a left-hand turn to the south of Front Street.

Newsham

- 5.10 The Newsham site location was selected because it would provide suitable access and car parking for the predominant traffic flow to and from Blyth along the A1061.

- 5.11 The decision to close the level crossing in this location and divert the A1061 onto a new overbridge was driven by a combination of not exacerbating congestion along the main route to the employment hub of the Port of Blyth, and the operational and safety impacts of retaining a level crossing in this location.

Seaton Delaval

- 5.12 Seaton Delaval station is positioned to the south-west of the A192 bridge to be accessible to more residents at Seaton Delaval and Seghill than other options. The specific location is a balance between walking distance from the A192 and limiting the visual impact on properties on Delaval Court. Passive provision has been created for any future dualling of the track in this location for greater operational capacity or resilience, which also constrains its position along the railway.

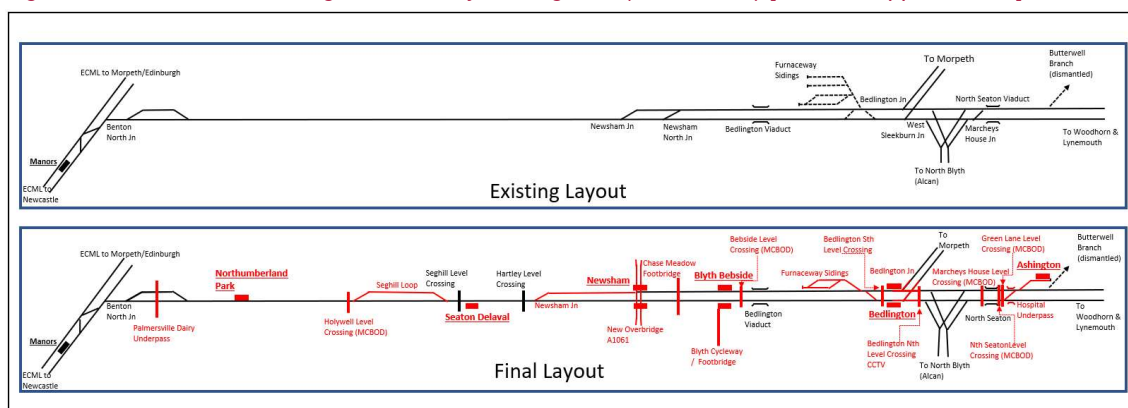
Northumberland Park

- 5.13 The NEXUS metro station at Northumberland Park is a critical interchange for the Northumberland Line. As well as facilitating the transfer of passengers from the Ashington direction onto the metro to either the east or west, it also provides much-needed public transport access to Cobalt Business Park to the south. The single platform station is located on the north side of the railway because there is no practical means of providing cross-platform interchange with the NEXUS services.

Works within the railway corridor

- 5.14 Figure 2 illustrates in schematic form the infrastructure changes to be made showing the long single-line section between the loop at Benton North Junction and Newsham. A larger version may be found in Appendix C.1.

Figure 2: Schematic of Existing and Final layout diagrams (not to scale) [see also Appendix C.1]



Track works

- 5.15 The track works broadly fall into two categories: 1) works to improve the alignment, and 2) works to provide additional functionality.
- 5.16 Works to improve the alignment are generally to improve the ride quality and line speed where lower maintenance standards for a freight railway mean that the alignment no longer meets the relevant standards for passenger train services, or constrain trains from operating at optimum line speed. The track works include improvements to the horizontal and vertical alignment, and replacement of very old components that are not suitable for passenger services.
- 5.17 The additional functionality required is for operational purposes, namely to enable a new turnback siding in the Ashington station platform, rehabilitate the Furnace Way sidings, reduce the length of the single track section south of Newsham, and provide a passing

loop south of Seghill which is necessary to enable a second passenger train per hour in each direction.

5.18 A brief commentary on the alignment works follows, working south to north and indicating the route chainage in metres from the design start point near Benton North Junction:

- a) Chainage 1670 metres (Ch1670) (Palmersville) to Ch3520 (Northumberland Park): Minor realignment for line speed improvements;
- b) Ch3900 (Northumberland Park) to Ch5000 (Holywell Level Crossing): Some new track on existing formation and some re-railing only;
- c) Ch5000 (Holywell Level Crossing) to Ch7440 (Seghill level crossing) : New NR56 FV24 Transition turnout into Seghill loop which consists of a new track alongside a realigned existing track for approximately 2km to a new NR56 FV24 Transition turnout south of Seghill level crossing;
- d) Ch7440 (Seghill level crossing) to Ch10660 (Hartley Curve): Some realignment works and formation renewal around Seghill curve for line speed improvements, followed by re-railing on the existing formation and alignment through Seaton Delaval to the Hartley Curve;
- e) Ch10660 (Hartley Curve) to Ch1180 (Red House Farm) : New realigned track through Hartley Curve to increase the linespeed from 25mph to 30mph through the level crossing and improve the exit alignment to better connect to the following straight section;
- f) Ch1180 (Red House Farm) to Ch13070 (Newsham level crossing): New NR56 FV24 Transition turnout into new double track railway for operational efficiency and resilience up to Newsham Level Crossing with some re-railing of the existing single track alignment between Ch12300 and Ch12980;
- g) Ch13070 (Newsham level crossing) to Ch14130 (Plessey Road Level Crossing) : Re-railing of the southbound track and minor realignment of the northbound track, removal of the disused Newsham North Junction crossover;
- h) Ch14130 (Plessey Road Level Crossing) to Ch16690 (Bebside Level Crossing): New trackwork on the southbound track to Ch15380 followed by minor alignment works, and re-railing on the northbound track throughout to achieve ride quality requirements;
- i) Ch16690 (Bebside Level Crossing) to Ch18140 (Furnace Way sidings) : Minor realignment to southbound track but new trackwork for northbound track throughout;
- j) Furnace Way sidings: New trackwork within the sidings to create a 321m standage and run-round loop for freight reversing movement needed by the service from Fort William, along with associated turnouts;
- k) Ch18140 (Furnace Way sidings) to Ch18600m (Bedlington North level crossing) : New track and crossover on the approach to Bedlington South level crossing, new double track through station into new BVS 8/7/5.5/4.5 double junction for improved radius (244m) and line speed (20mph up from 10mph) through the platform, and new track to connect with existing alignment for both routes;
- l) Ch18600m (Bedlington North level crossing) to Ch19950 (West Sleekburn Junction): Re-railing to Ch19640 then minor alignment only for both tracks;

- m) Ch19950 (West Sleekburn Junction) to Ch20700 (Marchey's House Junction): Renewal of West Sleekburn with renewal of the northbound track and re-railing of the southbound track to Marchey's House Junction which remains with minor realignment;
- n) Ch20700 (Marchey's House Junction) to Ch20990 (North Seaton Viaduct): A short length of new double track replacing the existing up to Marchey's House Level Crossing and then re-railing the southbound track, and minor realignment of the northbound track on the approach to North Seaton Viaduct;
- o) Ch20990 (North Seaton Viaduct) to Ch22800 (Ashington Junction): New track alignment across North Seaton Viaduct, continuing for the northbound track across North Seaton Level Crossing to Ch22200 before changing for re-railing. The southbound track is re-railed to Ch21880 and is then new track to Ashington Junction; and
- p) Ch22800 (Ashington Junction) to Ch23130 (Ashington station): New NR56 CV13 transition crossover leading into a NR56 CV13 transition turnout for the new station turnback terminus siding; the main line has a short section of renewed track followed by realignment to tie in with the existing adjacent to the platform.

Signalling

- 5.19 The existing signalling infrastructure which is mainly mechanical in nature which includes points, and semaphore signals controlled by signal boxes along the route. Some of this equipment dates back to the Victorian era.
- 5.20 The position of signals is linked to track infrastructure, line speeds and types of trains using the route so as to enable trains to run efficiently, but make emergency stops if, for example, a level crossing at a highway is blocked. The change in type, frequency and speed of trains drives changes to the level crossings as described below, and to the placement of signals. Similarly, the position of the loop, and relocation of junction locations each require signal protection to avoid train collisions and hence the provision of additional signals.
- 5.21 The changes to the signalling infrastructure required make it necessary to upgrade most of the lineside signalling equipment which include a number of level crossings. These changes all take place within the railway corridor and are unlikely to have a significant impact on those adjacent to the railway apart from the changes at some level crossings where the user may be presented with a closure or change in form of level crossing.

Power supplies

- 5.22 The changes to the signalling system and introduction of mechanical and electrical plant and telecoms systems for the Scheme result in a range of low voltage requirements such as signals, lighting, information screens, CCTV cameras, drainage pumps, and the like.
- 5.23 Electrical power for the signalling system will be provided from the Distributed Network Operator via a Principal Supply Point at Bedlington north of Barrington Road, and Auxiliary Supply Points in the car parks at Ashington and an existing Network Rail Access Point at Seaton Delaval. The electricity will be fed from these to the stations via low voltage cabling alongside the route within the railway corridor. Electrical power for station and car parks systems will be fed from cubicles with the relevant station or car park, and for heating of the railway points will be fed from cubicles within the Network Rail boundary.

Structures and earthworks including access

- 5.24 The structural works include works to existing underbridges and new proposed structures. The earthworks are primarily works to support the wider track bed or realigned track as described above.
- 5.25 Works to existing underbridges are triggered by the increase in loading or repositioning of loads as a result of trains travelling faster, or needing to carry two tracks where there is currently only one, or where the track needs to be realigned for various purposes as described above. The works include strengthening and renewal.
- 5.26 New structures include the underpasses at Palmersville Dairy and Hospital crossing, several new footbridges at stations and to replace a footpath crossing at Chase Meadows, and a new highway overbridge at Newsham station.
- 5.27 A summary of the various structure changes is shown in Table 3:

Table 3 Summary of structures works

Chainage	Name	Type	Purpose
690	Palmersville Dairy	Underpass	Replacing footpath crossing
4750	Underbridge EJM/35 – Sharnford Close	Underpass	Replacing existing Underbridge
6450	Underbridge EJM/36 – Feather Bed Lane	Underpass	Replacing existing Underbridge
11980	Underbridge EJM/42 – Lysdon Farm	Underpass	Replacing existing Underbridge
12980	Newsham A1061 Overbridge	Overbridge	Replacing Newsham level crossing
13030	Newsham Station Footbridge	Footbridge	New footbridge at Newsham Station
15675	Chase Meadows	Footbridge	Replacing footpath crossing
16350	Blyth Bebside A189 Footbridge	Footbridge	New footbridge over highway
16360	Blyth Bebside Station Footbridge	Footbridge	New footbridge at Blyth Bebside Station
22825	Hospital underpass	Underpass	Replacing existing footpath crossing

- 5.28 The earthworks are needed to widen or stabilise embankments where these have been identified as being needed for the new track works, or to strengthen areas identified as having suffered from historical degradation that may present an increased risk to passenger service operations.
- 5.29 Typical access requirements for structures include the need to have a route from the nearest public highway to the structure via a surface sufficient for the vehicles and plant that will be used for their construction. This route will be used for the movement of construction staff, materials, equipment, and plant including excavators and cranes, dependent on the works to be carried out.
- 5.30 Adjacent to each site there will normally be the need to provide an area for the lay-down of materials including bulk materials and pre-fabricated components such as beams, piles, or pre-cast elements. An area of hard-standing close to the railway will be required if the construction strategy includes lifting components in by crane or other heavy vehicles. There will also be the need for staff welfare facilities, a site office, and

safe parking for vehicles, though the location of these can be more flexible. Each of these considerations has informed the identification of land for temporary use as set out in the Application documents.

Modifications to railway crossings

- 5.31 As part of Network Rail's licence to operate and wider Health and Safety obligations, it has a legal duty to protect passengers, the public and the workforce and reduce the risk at all level crossings so far as reasonably practicable.
- 5.32 Level crossings not only present a risk to the individual user but where they facilitate vehicular access over the railway, they also increase the likelihood of potentially high-risk train accident and therefore, present one of the principal public safety risks on the railway. Each level crossing presents different arrangements and risks and therefore, each level crossing is considered individually.
- 5.33 While there is a vision to eliminate any accident at a level crossing, and closure of crossings removes the risk entirely, the question of what is reasonably practicable to do must be considered. This is in accordance with the Principles for managing level crossing safety - June 2021 produced by the Office of Rail and Road ("ORR"). At many locations, it is not reasonably practicable to close a level crossing. The effects of and recognition of the importance of the route for the community, and how our level crossings do, in some circumstances, allow communities to remain connected also require consideration.
- 5.34 In considering the options at all of the level crossings on the Northumberland Line and the resultant decisions about safety expenditure, reasonable practicability is evaluated. In so doing, the collective risk (public, passengers and staff) is considered, against the sacrifice (money, time and effort) involved in the measures necessary to avert the risk. This assessment of risk is documented in an impact assessment, produced for each level crossing affected by the scheme. If it is shown that there is a gross disproportion between these factors and that the risk is inconsequential in relation to the sacrifice, then a case may be made that the investment, or measure, is not considered to be reasonably practicable to progress.
- 5.35 This process forms one part of the risk assessment at a level crossing. Other considerations cover issues which are specific to that level crossing such as the type of user, the historic behaviour of users and how the Northumberland Line project might impact on the usage of the level crossing. On behaviour, it is recognised that local people have been used to a very low level of interaction with trains at level crossings over several decades and that the censuses and anecdotal evidence is that crossing behaviour reflects a low expectation that trains will be coming.
- 5.36 The change in use of the Northumberland Line from a freight railway used a few times a day to a predominantly passenger railway with a substantial increase in train numbers, travelling at an increased line speed, and most carrying passengers, all contribute to an increase in the risk profile at of the level crossings on the Northumberland Line.
- 5.37 Key to the step change in level crossing usage taking place is preparing a local education campaign, particularly in schools, to raise awareness of the dangers of trains and how to use crossings safely. This campaign is to be delivered in advance of operations starting with the support of Network Rail, British Transport Police, NEXUS, and Northern Trains.
- 5.38 A summary of the 23 level crossings along the route of the Scheme and the proposed solution (if one is to be provided) for each is listed in Table 4. Those which are proposed to be closed are shaded grey and are included in the Order Scheme. Further details of these proposed closures are provided in section 7 below.

Table 4 Summary of level crossings proposals (working south to north)

Crossing name	Existing Type (Definitions below)	Footpath / Highway	Action	Solution
Palmersville Dairy	FP	Footpath	Close	Underpass to be provided
Benton Square	FP	Footpath	Retain	Line of sight is sufficient
Earsdon	FP	Footpath	Upgrade	OMSL
Holywell ABCL	ABCL	Highway	Upgrade	Amend to AHB
Holywell UWC	UWC	Private Highway	Close	Closed through rights purchase or TWAO
Seghill North	AHB	Highway	Retain	
Mares Close	UWC-T	Footpath Private Highway	Upgrade / Retain	OMSL for footpath element UWC-T element to remain
Hartley	AHB	Highway	Retain	
Lysdon Farm	FP	Footpath	Close	Diversions route available
Newsham	MCB	Highway	Close	Road overbridge to be provided
Plessey Road	MCB-CCTV	Highway	Retain	
Chase Meadows	FP	Footpath	Close	Replaced with footbridge
Bebside	AHB	Highway	Upgrade	MCB-OD
Bedlington South	MCB	Highway	Retain	
Bedlington North WG	WG	Footpath	Upgrade	Integrated MSL
Bedlington North MCB	MCB	Highway	Upgrade	MCB-CCTV
Red Row Bridge	"Sleeping Dog"	Private Footpath	Close	Rights relinquished or closed through TWAO
Bomarsund FP	FP	Footpath	Retain	Line of sight is sufficient
Bomarsund UWC	UWC	Private Highway	Close	Rights relinquished or

Crossing name	Existing Type (Definitions below)	Footpath / Highway	Action	Solution
				closed through TWAO
Marcheys House	MCB	Highway	Upgrade	MCB-OD
North Seaton	MCB	Highway	Upgrade	MCB-OD
Green Lane	AHB	Highway	Upgrade	MCB-OD with Pedestrian Stop Lights
Hospital	FP	Footpath	Close	Underpass to be provided

Definitions of level crossing acronyms:

- ABCL: Automatic half-Barrier Crossing Locally Monitored
- AHB: Automatic Half Barrier
- FP: Footpath crossing
- Integrated MSL: Integrated Miniature Stop Lights
- MCB: Manually-Controlled Barrier
- MCB-CCTV: Manually-Controlled Barrier monitored by CCTV
- OMSL: Overlay Miniature Stop Lights
- “Sleeping Dog”: A crossing that is unused but for which rights remain
- UWC: User-Worked Crossing
- UWC-T: User-Worked Crossing with Telephone
- WG: Wicket Gate

- 5.39 Of the 11 highway crossings, six are to be upgraded, four are to remain because they already provide sufficient safety protection, and one at Newsham is to be closed and replaced with an overbridge.
- 5.40 The overbridge at Newsham will require land take to the south of the existing crossing for construction of the bridge and its approach roads and embankments.
- 5.41 For the six highway crossings that are to be upgraded, the physical changes on site will include (in the case of MCB-ODs) obstacle detection equipment, and (in the case of the AHB and MCB-CCTV) additional monitoring equipment. This new equipment has been designed to perform its role and retain the privacy of neighbours while minimising the use of land for temporary or permanent purposes.
- 5.42 Of the 12 footpath crossings, three are to be upgraded, two will remain, and seven are to be closed. Where they are closed it is either because they cannot be made safe, there is very little use made of them, or because an alternate crossing means is being provided.
- 5.43 The temporary or permanent use of land to provide the new structures is discussed above. The upgraded footpath crossings will include miniature stop lights at each side of the crossing to assist users to see when it is safe to cross, the lights being connected to the signalling system and automatically triggered by the presence of a train approaching the crossing.

Summary of operations

- 5.44 The railway operations consist of the existing freight services and the new passenger services.

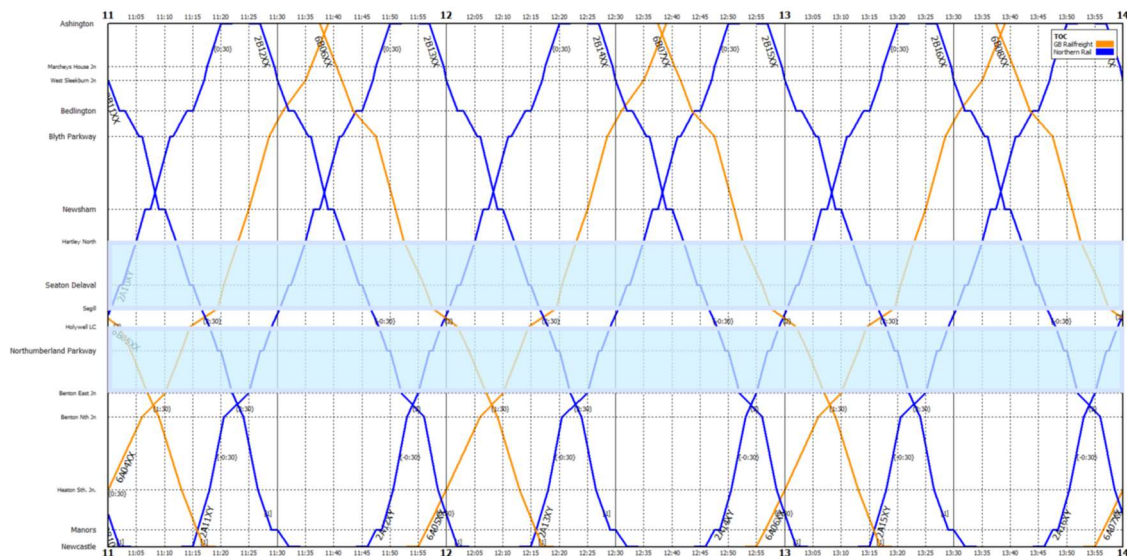
Freight operations

- 5.45 There are three existing freight services:
- a) Biomass from Port of Tyne in the south, to Lynemouth Power Station to the north beyond Ashington. Depending on the need and the timing of ships providing the biomass material to the port, these trains use up to four return paths per day.
 - b) Alumina from Fort William to North Blyth via the ECML at Morpeth, and Bedlington. The existing service runs up to three round trips per week, drawing south to Newsham where the hauling locomotive detaches, 'runs round' the wagons, reconnects and takes them to North Blyth via Sleekburn junction.
 - c) Coal from North Blyth to Wales via the Northumberland Line. The existing service may run once per week dependent on demand.
- 5.46 There are existing rights for up to 17 freight train paths per weekday throughout the operational day, and these rights are assumed to continue to be required at the point the passenger service commences operation.
- 5.47 With the introduction of passenger services, there is insufficient line capacity between passenger trains to reverse the Alumina trains at Newsham. This functionality is to be provided by reopening the Bedlington Furnace Way sidings, which allow this operation to take place largely off the main running line and so avoid service disruption.

Passenger operations

- 5.48 The Scheme will deliver two passenger trains per hour in each direction through the day. This is important to maximise the project benefits by creating a regular and frequent service that operates on a 'clock face' timetable i.e. at the same minutes past each hour from the same location, which simplifies the times that passengers need to remember to catch a train.
- 5.49 Figure 3 (replicated at larger scale in Appendix C.2) shows a three hour time period along the horizontal axis, and location along the vertical axis from Newcastle Central at the bottom to Ashington at the top. The semi-transparent blue stripes indicate the remaining length of single-track section which can only be occupied by one train at any point in time. Other parts of the graph are double-tracked and so trains can pass in opposite directions in these areas.

Figure 3: Train graph diagram illustrating a typical three-hour period [see also Appendix C.2]



5.50 The two passenger service paths each hour, shown in blue in the train graph diagram in are interspersed with the freight path, shown in yellow. The passenger trains are timetabled to pass each other north of Newsham and between Benton North and Benton East junctions just east of the junction with the ECML.

5.51 The graph illustrates that the Seghill passing loop is necessary to provide sufficient track capacity to run up to three trains per hour in each direction. The timetable structure proposes that passenger trains pass each other at Newsham and between Benton north Junction and Benton East with freight services passing passenger services at the proposed Seghill loop. This is shown as the yellow and blue train paths cross each other where there is a clear horizontal section on the graph between the two blue bands depicting double track. Without the Seghill loop there would only be sufficient track capacity to run two trains per hour in each direction and hence either the freight or the second passenger service could not be retained – neither of which achieves the project objectives.

5.52 The provision of the loop between Seghill and Holywell level crossings and extended double track section south of Newsham level crossing are both required to enable the introduction of a half-hourly passenger service over and above the current and proposed freight operations. The infrastructure supports a timetable that is designed to be resilient to delays and aid recovery from disruption, which is important to be acceptable to train operating companies working on the ECML where disruption from the Northumberland Line could quickly cascade across the national network.

6. THE CASE FOR THE SCHEME

6.1 The last thirty years have seen the North East region and South East Northumberland area undergo significant economic changes as the manufacturing sector has declined. Many of the urban areas were built around the ship building and mining industries, which closed in the 1980s, leading to high levels of unemployment and social deprivation in the area.

6.2 The North East region has seen some successes in recent years and productivity within the region is growing. However, the region is still fragile and economic growth lags behind that of other regions. As a consequence, there are still large pockets of deep economic and social deprivation across the region. The drivers of this economic growth that has occurred have been the main urban centres of Newcastle/Gateshead and Sunderland, and these cities have become significant attractors of travel demand from

across the study area as a consequence. Census data shows that Newcastle and North Tyneside are important locations for employment for residents of South East Northumberland. Growth within South East Northumberland however, has been much slower than that of the rest of the region, and this is not helped by the low levels of skills in the area.

- 6.3 Compounding the issue of slow economic growth in the area in the poor transport connectivity within, and beyond, South East Northumberland. Whilst there are good highway links to North Tyneside and Newcastle, the network is congested in peak periods and journey time reliability is an issue. Whilst a comprehensive bus network connects South East Northumberland with Tyne and Wear, journey times are long and services suffer from the same congestion issues as cars. There is no rail network currently serving the South East Northumberland communities of Ashington and Blyth and those wishing to travel by rail must travel further afield to Cramlington, Morpeth or into Tyne and Wear.
- 6.4 All of these factors mean that the South East Northumberland area is perceived as being relatively isolated with implications for inward investment, the retention of young people (who need to find employment opportunities) and the development of the necessary skills that are so essential to attracting new businesses, especially those in higher value sectors.
- 6.5 Population changes have seen the number of people living in outlying parts of Northumberland increase, as people seek a better quality of life or take advantage of lower house prices. This drift of population has clear consequences for travel demands and behaviour, which the transport network has not yet fully adjusted to.
- 6.6 Going forward, the North East region has strong aspirations for economic growth to ensure the region challenges the rest of the UK in terms of productivity and is less reliant on the public sector for employment. Crucial to achieving this growth, will be exploiting the potential of emerging sectors in advanced engineering, life sciences, the digital economy and professional services. Transport networks have a role to play in achieving this potential and it is important that transport links from South East Northumberland are improved if the South East Northumberland area is to benefit from this economic growth.
- 6.7 Work that has been undertaken in developing the Northumberland Line scheme has identified the following problems, which the scheme is seeking to help address:
- a) Car Ownership and Usage: Car ownership in Northumberland is forecast to increase, particularly in South East Northumberland. This has several potential implications including increasing highway congestion, impacting on journey times and the commercial viability of bus-based public transport across the region.
 - b) Mode Share: Private motor car usage in Northumberland is higher than the national average and this contributes to congestion and poor air quality. Public transport usage in Northumberland is lower than the national average.
 - c) Commuter Trips: There is a significant outflow of commuters from Northumberland into Tyne and Wear. Congestion is already an issue on the strategic road network into Tyne and Wear and alternative modes of transport need to be provided to ensure the population of South East Northumberland can access key areas of employment by sustainable modes.
 - d) Links of Economic Importance: Links into Tyne and Wear, particularly Newcastle, are vital for the economic prosperity of Northumberland. However, bus journey times, particularly during peak periods, are uncompetitive compared to car journeys.

- e) **Accessibility:** Existing public transport options do not meet the needs of all residents of Northumberland. A lack of available services, long journey times and high public transport costs mean that public transport is not a viable option for many people.
 - f) **Environmental Issues:** Air quality is a major concern for the North of Tyne Combined Mayoral Authority. Collectively, there is a need to reduce harmful vehicle emissions. Mitigation measures put in place to address air quality may impact on the current travel demands and mode choice to and from Northumberland.
 - g) **Housing:** The South East of the county has experienced consistent under-delivery of housing in recent years compared to the housing allocations in existing Local Plans. Some large housing sites have stalled and sites on previously developed land have proven unviable.
- 6.8 Northumberland, alongside the rest of the UK, has been dealing with the impacts of the Covid-19 global pandemic. This has had major implications on travel patterns, with increased reliance on the private car as an alternative to public transport. It is acknowledged that it will be some time before travel patterns return to normal and there will be longer term changes because of the Covid-19 restrictions and people's experience of working from home. However, there are still many jobs where working from home is not possible. Public transport will also still be needed to access education and leisure opportunities. It is therefore important that there is a continued focus on developing public transport infrastructure, as well as encouraging people to shift from private car to public transport.

The Case for Intervention: The Impact of Doing Nothing

- 6.9 The previous section identifies the problems across South East Northumberland which the Scheme has been developed to help address. The need for intervention is critical if national, regional, and local policies are going to be realised and the productivity gap between the North East and other parts of the country is going to narrow. This is never more important than now, when the region faces a fight to overcome the economic downturn caused by the pandemic. The consequences of continued failure to address these problems are summarised below:
- a) **Development:** Poor transport connectivity will impact on the potential of Northumberland and the wider North East region to attract investment. NCC has failed to deliver on its housing aspirations in recent years and this is unlikely to improve without investment. Several strategic employment sites, particularly Blyth Estuary, have been identified in South East Northumberland but the success of these sites will be dependent on good transport connections.
 - b) **Congestion:** For those that have access to a car, there will be an overreliance on private car travel into neighbouring authorities to access opportunities. Not only will this exacerbate local congestion issues, but it will also increase demand on the key radial routes into Tyne and Wear, which are already congested. Demand and revenue forecasting for the Northumberland Line scheme has shown that a 4% modal shift from car to public transport could be achieved within the Northumberland Line corridor area, which would increase to 7% when considering trips travelling directly into Newcastle.
 - c) **Social exclusion:** For those who do not have access to a car, poor public transport connectivity will leave people increasingly isolated from economic and social opportunities. This will exacerbate existing issues of social deprivation that are inherent in the South East Northumberland area. Current scheme assessment work shows that journey times by public transport from Ashington into Newcastle could reduce to 35 minutes once the

Northumberland Line scheme is operational. This will mean that people reliant on public transport have many more employment, education and leisure opportunities available to them.

The Case for Intervention: Drivers of Change

- 6.10 At a national level, there is a need to continue to stimulate economic growth by ensuring that transport infrastructure can move people, goods and services efficiently and effectively. It has been consistently recognised that well-connected and high-performing networks with sufficient capacity are vital to meet the country's long-term needs and support a prosperous economy¹. Business markets vary across the nation, with areas in the north requiring intervention to support business growth, enhance business routes to market and reduce the productivity gap. Although the North East LEP area economy has witnessed increasing GVA in recent years (it is a net exporter), it is recognised that lack of infrastructure capacity could hold back required economic growth. Enhanced connectivity within and beyond Northumberland can provide wider opportunities for residents to access employment and increase opportunities for developing employment in the wider Tyne and Wear area by providing improved access to labour supply
- 6.11 The North East needs to continue to capitalise on its export growth and inward investment. The provision of well-connected transport infrastructure, with accessible additional routes to market, will support this need and ensure that the UK and the region can continue to build on its global connections and enhance its productivity. A more localised requirement is for people to access employment opportunities in the first place to serve this economic growth. This is the purpose of the Scheme.

Objectives

- 6.12 The evidence set out in the Outline Business Case (OBC) [APP40] for the Scheme, demonstrating the need for transport investment in South East Northumberland, was used to formulate three SMART objectives for the Scheme:
- a) Objective 1: Facilitate economic activity, employment growth and the delivery of housing sites within South East Northumberland and the wider region.
 - b) Objective 2: Create a 4% mode shift from car to public transport within the Northumberland Line corridor area, to improve local air quality and reduce highway congestion at key bottlenecks on the highway network between South East Northumberland, North Tyneside, and Newcastle.
 - c) Objective 3: Improve public transport accessibility for commuting, retail and leisure trips between South East Northumberland, North Tyneside, and Newcastle by providing additional public transport options and reducing public transport journey times compared to the existing situation..

7. POLICY CONTEXT

- 7.1 This section provides a high-level overview of the key relevant national, regional and local policy relating to the Scheme. The Scheme accords with relevant policies, in that it seeks to encourage accessible public transport provision and more sustainable forms of development.

¹ See the National Networks National Policy Statement (2014), paragraph 2.1. [APP27]

National Planning Policy Framework (NPPF)

- 7.2 At a national level the NPPF (latest version adopted in July 2021) [APP28] sets out the Government's overarching planning policies and how these are expected to be applied.
- 7.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development (the pillars of which are social, environmental and economic development) should be applied in decision-making.
- 7.4 The NPPF also (in Chapter 9) sets out the importance of promoting sustainable transport, including the opportunities afforded by existing and proposed transport infrastructure.
- 7.5 The Scheme will deliver economic, social and environmental benefits which will support the planning system in fulfilling its fundamental purpose to contribute to the achievement of sustainable development.

National Policy Statement for National Networks (NNNPS)

- 7.6 Whilst the purpose of the NNNPS [APP27] is primarily to form the policy basis for decisions on road and rail Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008, paragraph 1.4 does make clear that it may be a 'material consideration' in decision-making on planning applications. It therefore has material weight and is relevant to the Scheme. Of particular note is the Government's overarching policy on rail networks.
- 7.7 Section 2 of the NNNPS sets out the Government's strategic objectives for national networks in England, namely:

"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."

- 7.8 The NNNPS also, in section 2, makes clear the policy support for national networks to support local economic growth and regeneration, particularly in the most disadvantaged areas, to help rebalance the economy.
- 7.9 Paragraphs 2.28 to 2.41 of the NNNPS set out the need for development of the national rail network, focussing on, amongst other things, economic and environmental development.
- 7.10 Given the benefits the Scheme is expected to realise, it clearly accords with the strategic national policies set out in the NNNPS.

Local planning policy – Northumberland

- 7.11 NCC was established as a unitary authority on 1st April 2009 following Local Government Reorganisation. It replaced the former County Council and six District / Borough Councils of Alnwick, Berwick, Blyth Valley, Castle Morpeth, Tynedale and Wansbeck.

- 7.12 The former Northumberland local planning authorities had produced their own Development Plans to guide development within their administrative boundaries, which include:
- The saved Policy S5 of the Northumberland County and National Park Joint Structure Plan Alteration (February 2005);*
- The Core Strategies of the former Local Authorities of Alnwick (2007), Blyth Valley (2007), and Tynedale (2007) and the Blyth Valley Development Control Policies DPD (2007); and*
- The saved Local Plan policies (under the Secretary of State's Direction) of the (Wansbeck District Local Plan (2007).*
- 7.13 Policies contained within those documents that have been 'saved' under the Planning and Compulsory Purchase Act 2004 [APP23] will remain in force and will continue to provide the basis for planning decisions until replaced by subsequent Development Plan Documents.
- 7.14 These documents, together with any made Neighbourhood Plans, have been brought together to form the 'Northumberland Consolidated Planning Policy Framework' [APP29].
- 7.15 Therefore, the starting point from a planning policy perspective in considering the acceptability or otherwise of the proposals is the development plan. The development plan in respect of those elements of the Scheme which require planning permission includes:
- Wansbeck District Local Plan (July 2007).*
- Blyth Valley Borough Local Development Framework Core Strategy (July 2007)*
- Blyth Valley Borough Local Development Framework Development Control Policies Development Plan Document (September 2007)*
- Blyth Valley District Local Plan (May 1999)*
- 7.16 It should be noted that NCC is focusing on the preparation of a Local Plan for Northumberland. The Northumberland Local Plan [APP30] will:
- set the strategic planning policies of the Council;*
- provide the planning principles, including detailed development management policies to guide future development and planning decisions in Northumberland to 2036;*
- set the general scale and distribution of new development which is required to meet Northumberland's needs to 2036;*
- include strategic allocations as well as detailed land allocations and designations; and*
- include site specific proposals for the development, protection and conservation of land.*
- 7.17 Once adopted, the Northumberland Local Plan will supersede those existing development plan documents which collectively comprise the 'Northumberland Consolidated Planning Policy Framework'.
- 7.18 The Northumberland Local Plan (including its Infrastructure Delivery Plan [APP33]) was submitted to the Secretary of State on 29th May 2019 and is currently undergoing independent examination. The appointed Inspectors concluded that while the draft plan

as submitted was not sound, it is likely that it can be made sound by modifications. A public consultation on the proposed main modifications to the Local Plan took place over a period of 8 weeks between Wednesday 9 June 2021 and Wednesday 4 August 2021. All comments received in response to the main modifications subject to the consultation will be passed to the Inspectors for their consideration.

- 7.19 The saved planning policies contain support for sustainable travel and sustainable development which the Scheme would be in accordance with.
- 7.20 The draft Northumberland Local Plan, including the proposed modifications, express strong support for the Scheme as a key priority – see policy TRA 5.
- 7.21 As such, it is considered the Scheme is in accordance with the ‘saved’ local policies in Northumberland, as well as the draft Northumberland Local Plan.

Local planning policy - North Tyneside

- 7.22 The adopted North Tyneside Local Plan (2017) **[APP31]** states that ‘Future transport provision should reflect existing demand and also take account of planned economic and housing growth to ensure an integrated approach to sustainable development and travel patterns’.
- 7.23 NTC supports the common objectives of the North East Combined Authority and Northumberland County Council in seeking to deliver a modal shift to more sustainable modes of transport and expresses support for the Scheme (see paragraph 10.25). Notably, the local plan safeguards the Ashington, Blyth and Tyne Railway to ensure the transport infrastructure can be delivered with limited constraints (and NTC’s Infrastructure Delivery Plan **[APP34]** also supports the Scheme).

Northumberland Local Transport Plan

- 7.24 The Northumberland Local Transport Plan 2011 – 2026 (LTP3) **[APP32]** was adopted on 4th April 2011 as an interim strategy which will be refreshed following the council’s adoption of the Northumberland Sustainable Community Strategy and the Northumberland Local Plan.
- 7.25 The LTP3 identifies at paragraph 3.68 that:

“Of particular issue to South East Northumberland is the time it takes to travel into the neighbouring authorities of Tyne & Wear, a key source of employment for residents of Northumberland, and the cost associated with these journeys. For example, public transport journey times from Blyth and Ashington to Newcastle City Centre can take in excess of 40 minutes with a weekly bus pass costing between £15 and £20.”
- 7.26 To address such issues, the LTP3 recognises that rail travel will have an increasingly important role in tackling congestion and supporting Northumberland’s sustainable economic growth and prosperity.
- 7.27 Paragraph 6.36 of the LTP3 states that re-opening of the Ashington, Blyth and Tyne line to passenger services is one of the principal elements of the new rail strategy to be implemented in partnership with Network Rail and local rail operators over the period of the third LTP.
- 7.28 As such, the scheme is considered to directly support the aims of the LTP3, to improve and encourage use of rails services in order to assist in reducing the economic, social and environmental impacts resulting from the highway congestion and journey time delays across South East Northumberland.

North East Transport Plan

- 7.29 The North East Transport Plan [APP36] sets out the region's transport aspirations up to 2035 and covers the areas of both the North East Combined Authority and the North of Tyne Combined Authority, the latter of which comprises NCC and NTC. It was adopted by the North East Joint Transport Committee (which includes members from NCC and NTC) in March 2021.
- 7.30 The Plan provides clear support for the restoration of passenger services between Ashington and Newcastle to, for example, widen access to jobs and training, grow the economy and reduce deprivation.

Transport for the North Strategic Transport Plan

- 7.31 Transport for the North (which includes the North of Tyne Combined Authority) published a 'Strategic Transport Plan' [APP37] in 2019 which outlines the ambitions for the growth of the Northern Powerhouse until 2050.
- 7.32 The plan identifies the importance of encouraging a modal shift towards rail in meeting transport objectives for the region. This includes contributing to meeting commitments to reduce greenhouse gas emissions and driving towards the inclusive growth agenda.
- 7.33 The strategy considers, amongst other things that *'To realise the benefits of agglomeration and economic mass, the North requires faster, more efficient, reliable and sustainable journeys on the road and rail networks'*
- 7.34 The aims and objectives of Transport for the North align with the principles of the Scheme.

Northumberland Economic Strategy

- 7.35 The Northumberland Economy Strategy 2019 - 2024 [APP35] was formally approved by NCC in December 2018. The ambition as set out in the strategy is to deliver inclusive, industrial growth to support a more productive, prosperous economy.
- 7.36 Priority 5 of the Economic Strategy states that one of the key deliverables to better connect the county is: "Invest in high quality passenger transport including the reopening of the Northumberland to Newcastle rail line to passengers."
- 7.37 The Scheme will clearly accord with this priority and the ambitions of the Economic Strategy as a whole.

8. ACQUISITION AND USE OF LAND

Introduction

- 8.1 The Order, if made, will confer on NCC the power to compulsorily acquire land, or rights over land, required to construct and operate the Scheme. The Order will also confer powers on NCC to temporarily occupy and use land for the purposes of constructing the Scheme.
- 8.2 A large proportion of the works required for the Scheme will be undertaken on land that is currently in the freehold ownership of either NCC or Network Rail (for example, within the existing rail corridor) and as such, no powers over that land are required to be included within the Order. However, several plots of land currently within private ownership are required for the Scheme, either on a permanent or temporary basis – it is those plots that are proposed to be subject to powers within the Order.
- 8.3 The powers sought in the draft Order in relation to land fall into the following categories:

- a) permanent acquisition of land;
- b) permanent acquisition of rights over land;
- c) permanent acquisition of airspace or subsoil;
- d) temporary use of land for construction purposes;
- e) temporary use of land for access purposes;
- f) permanent extinguishment of rights over land; and
- g) temporary suspension of rights over land.

8.4 The Order, if made, will also discharge two plots of land (116 and 247) identified as 'open space' from all rights, trusts and incidents to which they are currently subject.

8.5 All land over which powers are sought in the draft Order is shown on the Land and Works Plans **[APP10]** and listed in the Book of Reference **[APP12]** that accompanied the application for the Order. The disparate nature of the plots shown on those plans, is indicative of the fact that existing land of NCC and Network Rail will be used for the Scheme. All references to plots in this document are to be read in conjunction with those plans. The plots are colour-coded to denote the nature of the power(s) sought over them.

8.6 All areas of land subject to powers in the draft Order are necessary for the Scheme and no land will be acquired permanently, or used temporarily, unless essential to facilitate the Scheme. In respect of all land proposed to be subject to Order powers, NCC is seeking to secure the relevant land by negotiation. As such, the powers in the Order would only be exercised where it is not possible or practicable to reach agreement.

Relationship between the powers in the draft Order and the separate planning permissions

8.7 As explained above, the Order would not authorise the majority of works required for the Scheme. Instead, these are to be permitted by way of separate planning permissions granted by the local planning authorities (NCC, as planning authority, and NTC) or by relying on planning permission granted by the GPDO (primarily under Parts 8 and 18 of Schedule 2).

8.8 The planning permissions would not confer any powers to acquire or use any land required for the Scheme that is currently in private ownership. To ensure the Scheme can be delivered it is therefore critical that NCC has the power to compulsorily acquire land and rights, and to use land temporarily for the purposes of construction. These powers will ensure that, if NCC is not able to reach agreements with relevant landowners, the land that is required for the Scheme can be secured. This is one of the primary purposes for which NCC is applying for the Order.

8.9 The document entitled *The Proposed Northumberland Line Order: A Guide to the Application* **[APP15]** that accompanied the Application provides further information on the relationship between the separate planning permissions being sought from the local planning authorities and the land that is subject to the powers of compulsory acquisition contained in the draft Order. That document also illustrates the permanent and temporary land powers sought in the draft Order in connection with the construction of maintenance parking bays at four locations which are proposed to be authorised by the Order.

8.10 Additional land included in the draft Order is primarily subject to powers of temporary use for construction and access purposes. This is to facilitate works permitted by express planning permissions from the local planning authorities, as well as works

proposed to be carried out as permitted development under the GPDO. For example, the Order includes temporary land for a number of worksites or compounds to facilitate works along the route of the existing railway corridor which would be carried out using permitted development rights.

Permanent acquisition of land

- 8.11 A power of permanent acquisition is included in the draft in relation to land that is required for the Scheme's permanent structures (such as at the proposed new station sites), or for other purposes on an on-going basis. Plots where such powers have been included in the draft Order are as follows:

Table 5: Plots for permanent acquisition of land at stations

Purpose	Plots
Northumberland Park Station	042, 043, 046, 047, 048, 049, 056, 057
Seaton Delaval Station and Car Park	127, 128, 129, 131, 132, 132a, 133, 134, 135
Newsham Station and Car Park	173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198
Bebside Station and Car Park	241, 242, 243, 244, 248, 249
Bedlington Station	267, 268, 269, 270, 271, 272, 273, 274, 282, 283, 284, 285, 286, 287, 288, 294, 293
Ashington Station and Car Park	321, 322, 323, 324, 325, 326, 327, 329, 330

Table 6: Plots for permanent acquisition of land at structures

Purpose	Plots
Palmersville Dairy Level Crossing	003, 004, 005, 006, 007, 007a, 017a, 018, 018a, 020, 021, 022, 023
Underbridge 35	082a, 084
Underbridge 36	100b, 102a, 103, 104, 105, 106
Chase Meadows Footbridge	218, 220, 223a, 227, 228, 229
Bebside Footbridge	248, 251, 254, 255, 256
Hospital Level Crossing	314, 315, 316, 317, 318, 319a, 319b, 319d,

- 8.12 Sites have been selected for permanent acquisition following assessment by design and land acquisition/consents leads for the project. Publicly owned land has been prioritised for use wherever possible. Private third-party land has only been considered where no other suitable alternative location for the required infrastructure is available.

Permanent acquisition of rights over land

- 8.13 Powers to permanently acquire rights over land are sought in the draft Order where land does not need to be acquired outright, but rights over that land are required – for example a right of access for maintenance purposes on an on-going basis. Plots where such powers have been included in the draft Order are as follows:

Table 7: Plots for permanent acquisition of rights over land at stations

Purpose	Plots
Northumberland Park Station	055, 060, 061, 062, 064
Seaton Delaval Station Drainage	125
Bebside Station and Car Park	241a, 242a, 243a

Purpose	Plots
Ashington Station and Car Park	331, 331a, 331b, 331c

Table 8: Plots for permanent acquisition of rights over land at structures

Purpose	Plots
Palmersville Dairy Level Crossing	012, 012a, 013, 014, 015, 016
Chase Meadows Footbridge	236
Bebside Footbridge	250

- 8.14 Sites have been selected for permanent rights following assessment by design and land acquisition/consents leads for the project and liaison with Network Rail where perpetual access is required for inspection and maintenance purposes. Publicly-owned land has been prioritised for use wherever possible. Private third-party land has only been considered where no suitable alternatives to access the required infrastructure is available.

Temporary use of land for construction purposes

- 8.15 Powers to use land temporarily for the purposes of construction are included in the draft Order.
- 8.16 Land is required for a number of temporary worksites to facilitate the permanent works in various locations. The worksites will include, amongst other things, laydown and storage areas, site offices and accommodation facilities. Plots where such powers have been included in the draft Order are as follows:

Table 9: Plots for temporary use of land for construction purposes at stations

Purpose	Plots
Northumberland Park Station	040, 050, 051
Seaton Delaval Station Car Park and Drainage	126, 130
Newsham Station and Car Park	199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214
Bedlington Station	260, 261, 289, 290, 291, 292, 295
Ashington Station and Car Park	320

Table 10: Plots for temporary use of land for construction purposes at structures

Purpose	Plots
Palmersville Dairy Level Crossing	001, 001a, 002, 008, 009, 010, 017, 017b, 019, 019a
Underbridge 35	077, 080, 080a, 081, 081a, 082, 082b, 083, 086, 087, 090
Underbridge 36	100a, 101, 102, 103a, 104a, 105a, 106a, 106c, 106d
Chase Meadows Footbridge	217, 217a, 219, 223, 223b, 224, 233, 234, 237, 237a, 237b, 238
Bebside Footbridge	252, 253, 253a, 257a
Hospital Level Crossing	312, 313, 319, 319a

- 8.17 Sites for temporary use for construction purposes have been selected following an assessment by design and land acquisition/consents leads for the project in conjunction

with Early Contractor Involvement (ECI) advice provided by Morgan Sindall. The results of that assessment were subsequently refined through discussions with Central Rail Systems Alliance (CRSA).

Temporary use of land for access purposes

- 8.18 Powers to use land temporarily for access purposes are required to facilitate the construction of the Scheme. This is a 'lesser' power compared to the power of temporary possession described above and is sought over land where exclusive possession is not required during construction (e.g. for the purposes of providing a worksite) and where permanent rights are not required for the purposes of the maintenance and operation of the Scheme. The power principally applies to existing private tracks or roads which will be used by vehicles during the construction of the works.
- 8.19 NCC is taking the approach of 'separating' out these two categories of temporary powers so as to ensure that no 'greater' powers over land are sought than is absolutely necessary to facilitate construction of the Scheme. Plots where the power of access have been included in the draft Order are as follows:

Table 11: Plots for temporary use of land for access purposes at stations

Purpose	Plots
Northumberland Park Station	024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039

Table 12: Plots for temporary use of land for access purposes at structures

Purpose	Plots
Underbridge 35	092
Underbridge 36	097, 098, 099, 100, 106b, 107, 108, 109, 110, 111, 112
Chase Meadows Footbridge	238a, 239, 240
Bebside Footbridge	257

- 8.20 Sites for temporary use for construction access have been selected following an assessment by design and land acquisition/consents leads for the project in conjunction with Early Contractor Involvement (ECI) advice provided by Morgan Sindall. The results of that assessment were subsequently refined through discussions with Central Rail Systems Alliance (CRSA).
- 8.21 NCC has taken care not to exclude existing owners of rights from using existing access routes wherever feasible, hence the approach to include plots for temporary access rather than temporary possession wherever possible.

Open space

- 8.22 Section 12 of the 1992 Act provides that, should an order authorise the compulsory acquisition of certain 'special' categories of land (e.g. commons, open spaces or National Trust land), the provisions in the Acquisition of Land Act 1981 (**the 1981 Act**) [APP24] apply which govern when a compulsory purchase order is subject to special parliamentary procedure.
- 8.23 Under the 1981 Act, special parliamentary procedure applies to an order that contains powers to compulsorily acquire such land, unless the Secretary of State has certified that certain 'tests' have been satisfied in respect of the land subject to the relevant powers.

- 8.24 NCC has identified that the only relevant ‘special category’ of land in the context of the Order is “open space”, which is defined in section 19 of the 1981 Act as:
- “any land laid out as a public garden, or used for the purposes of public recreation, or land being a disused burial ground”*
- 8.25 NCC has identified that 14 plots of land that are subject to powers in the draft Order could, taking a precautionary approach, fall within the definition of ‘open space’ in the 1981 Act – these are indicated in the Book of Reference.
- 8.26 Ten of those 14 plots are subject only to powers of temporary use under articles 20 and 21 of the draft Order – these plots are accordingly listed in Schedules 8 and 9 to the draft Order and permanent powers cannot be exercised over them. In this context, the provisions of section 12 of the 1992 Act (and therefore the 1981 Act) do not apply to these plots.
- 8.27 Permanent powers are sought over four plots in the draft Order which may be considered ‘open space’. These are plots 116, 245, 247 and 281a as shown on the Land and Works Plans and listed in the Book of Reference.
- 8.28 Plots 116 and 247 are subject to powers of outright acquisition under article 15 of the draft Order and plots 245 and 281a are subject to the power to acquire rights only under article 18(2).
- 8.29 Accordingly, NCC applied to the Secretary of State for Housing, Communities and Local Government on 18 May 2021 for certificates:
- a) under section 19 of the 1981 Act in respect of plots 116 and 247; and
 - b) under Schedule 3 to the 1981 Act in respect of plots 245 and 281a.
- 8.30 If granted, the certificates would mean the Order would not be subject to special parliamentary procedure if made. These applications were made on the basis that:
- a) plots 116 and 247 are below the 250 square yard threshold as set out in section 19(1)(b) of the 1981 Act;
 - b) plot 245 is below the 250 square yard threshold as set out in paragraph 6(1)(c) of Schedule 3 to the 1981 Act; and
 - c) the rights sought over plot 281a would render those plots no less advantageous to users than they were without the rights being imposed, as set out in paragraph 6(1)(a) of Schedule 3 to the 1981 Act.
- 8.31 NCC received notice on 27 May 2021 that the Secretary of State was minded to grant the certificates and accordingly an objection period, publicised in accordance with the statutory requirements, ran until 9 July 2021. No objections or representations in respect of the proposed certificates were received by the Secretary of State during the objection period.

Current status of negotiations with landowners

- 8.32 NCC’s aim is to minimise the need to exercise the compulsory acquisition powers being sought in the Order. To achieve that aim it has engaged with affected landowners to negotiate by agreement the right to acquire the necessary land interests or rights. Where that has not been possible in the time available, the aim is to agree the terms of acquisition and in the case of temporary land, the parameters for which that land will be required.

- 8.33 Terms to acquire Bridge House in Bedlington (which is required to construct Bedlington Station) have been agreed by way of private treaty, with completion of that subject to conclusion of the NCC Senior Officer approval process.
- 8.34 Negotiations are taking place with Viscount Ridley/Blagdon Estate, the Duke of Northumberland, Lord Hastings, Esh Homes, NTC, Advance Northumberland, NEXUS, ASDA and others from whom land interests or rights are required. Terms for the transfer of the interests required have been substantially agreed with a number of these landowners and NCC continues to work towards completion of option agreements which may help avoid the need for NCC to exercise Order powers. These negotiations continue.

Compensation matters

- 8.35 Landowners who have land or an interest in land acquired from them, or their land used temporarily, will be entitled to compensation, and landowners whose property is affected by the works authorised by the Order may also be entitled to compensation in certain circumstances.
- 8.36 The draft Order, at articles 16 and 17, applies Part 1 of the Compulsory Purchase Act 1965 [APP25] and the 1981 Act which, through their application, has the effect of requiring NCC to pay compensation to parties that qualify under what is termed the 'Compensation Code'. The Code is a combination of statutory provisions in a number of enactments and legal precedents. The draft Order also includes specific provisions around the calculation of compensation in this context, at articles 22 and 23, covering the disregard of certain interests and setting-off any enhancements in the value of land retained by an affected landowner.
- 8.37 In addition, the draft Order expressly provides for the payment of compensation to any person that suffer loss through the exercise of the powers in articles 4 (power to survey and investigate land), 6 (felling or lopping of trees), 7 (closure of level crossings), 8 (accommodation crossings), 9 (stopping up of streets), 10 (temporary stopping up and diversion of streets), 11 (creation and maintenance of new highways), 20 (temporary use of land in connection with the development), 21 (temporary use of land for access) and 24 (private rights over land).

European Convention on Human Rights

- 8.38 The powers over land sought in the draft Order are necessary to facilitate the construction, operation and maintenance of the Scheme. The land requirements have been carefully considered and limited as far as possible, to ensure they are proportionate.
- 8.39 The approach to be taken when considering the compulsory acquisition of land and rights is summarised in paragraph 12 of the Ministry of Communities and Local Government's (MHCLG) July 2019 Guidance on Compulsory Purchase Process and the Crichel Down Rules [APP26], which states that compulsory purchase powers should only be given where there is "a compelling case in the public interest".
- 8.40 The Guidance makes it clear that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. In making this assessment, the person seeking to acquire the land should have regard, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention. These are summarised and considered below.
- 8.41 Article 1 of the First Protocol to the European Convention on Human Rights states that:

“Every natural or legal person is entitled to peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties”

- 8.42 Article 1 is a qualified right in that no one shall be deprived of his possessions “*except in the public interest and subject to the conditions provided for by law*”.
- 8.43 Whilst occupiers and owners of land will be deprived of their property if the Order is made, this will be done in accordance with the law. By enacting 1992 Act, the Government has determined that, subject to procedural safeguards, it can be in the public interest that individuals be deprived of their land for railway purposes. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the Scheme, which would be facilitated in part by the Order, are set out earlier in this Statement. NCC considers that the Order will strike a fair balance between the public interest in the implementation of the Scheme and those private rights which will be affected by the Order.
- 8.44 In addition, as set out above, where land, or rights over land, are authorised to be compulsorily purchased by the making of the Order, compensation will be payable. Where disputes as to the amount of compensation arise, these may be referred for independent consideration by the Upper Tribunal.
- 8.45 NCC considers that there is a compelling case in the public interest for compulsory acquisition powers to be granted as part of the Order. The Order, including the requirement to pay compensation, strikes a fair and proportionate balance between the private interests of affected landowners and the public interest in securing the benefits of the Scheme. Therefore, the interference with Convention rights is justified.

Network Rail requirements

- 8.46 Section 12 below sets out how the Scheme as a whole is proposed to be delivered. Based on this, Network Rail will require certain land and rights that are subject to powers of compulsory acquisition in the Order to be vested in it on a permanent basis for operational purposes. In addition, it may be that Network Rail requires land that is subject to powers of temporary use to facilitate works that it is responsible for carrying out as part of the Scheme.
- 8.47 NCC and Network Rail are agreeing the basis on which land acquired for the construction and operation of the Scheme will be transferred to Network Rail as necessary.
- 8.48 Article 29 of the draft Order provides that NCC and Network Rail may enter into agreements in relation to the Scheme, including pertaining to the exercise by Network Rail of powers in the Order relating to compulsory acquisition and temporary possession or use of land.
- 8.49 In that context, for proportionate flexibility, NCC has included provision in the draft Order, at article 28, such that powers in the Order can be transferred to Network Rail, in order that they can be exercised for its benefit. The power in article 28 provides that the Order powers can be transferred to any party, but it is only a transfer to Network Rail, under an agreement under article 29, that does not require the prior consent of the Secretary of State. This is in recognition of Network Rail's status as a statutory undertaker and as the owner and operator of rail infrastructure in Great Britain.

- 8.50 It may be that these provisions are not relied upon and instead NCC exclusively exercises the relevant land powers in the Order with subsequent agreements being entered into between NCC and Network Rail to facilitate the transfer of land on a permanent basis. However, as set out above, this is subject to on-going engagement between the parties. Currently, it is proposed that station works will be transferred to Network Rail, along with the new structure at Chase Meadows, with NCC retaining ownership of certain car parks as well as the new structures at Newsham and Blyth Bebside. Network Rail would retain ownership of land and assets forming part of the operational railway.

Article 35 of the draft Order

- 8.51 The draft Order includes a bespoke provision at article 35, the purpose of which is to modify agreements relating to land on which parts of the existing railway are built (see the Explanatory Memorandum [APP2]. Network Rail does not own the freehold of the land on which the railway is situated at these locations.
- 8.52 Instead, the railway is subject to wayleave leases that date back to the 19th century and contain provisions for the payment of rent to the relevant landowners in respect of the transport of freight and passengers on the railway.
- 8.53 NCC has been working closely with Network Rail on the content and basis for article 35 in the draft Order, given the fact that the wayleave leases are between Network Rail and the relevant landowners and their implications extend primarily to the operation of the railway.
- 8.54 Network Rail considers the existing rent payment arrangements under the wayleave leases to no longer be fit for purpose given the uncertainty as to their interpretation in a modern context. The agreements were put in place in the 19th century, when the ownership and operational arrangements of the railways were very different from the situation that exists today. Network Rail considers the arrangements in respect of the payment of rent under the wayleave leases, whilst perhaps appropriate then, to not be so now. The uncertainty of the language in the relevant leases, when read in the modern context, creates uncertainty and therefore a risk to the successful implementation of the Scheme should there be a dispute in relation to the use of the railway for the Scheme because of the terms of the leases.
- 8.55 Network Rail is the freehold owner of the majority of its land and the arrangements under the wayleave leases are highly unusual.
- 8.56 Given this, article 35(2) of the draft Order provides that the existing obligations under the wayleave leases to pay rent to not have effect on the coming into force of the Order. However, Network Rail is liable, under article 35(3) to pay the relevant landowner compensation by way of a capitalised sum and, in the absence of agreement between the parties, the level of such sum is to be determined by the Upper Tribunal. It is Network Rail's view that this is a pragmatic solution and provides certainty for all parties.
- 8.57 NCC and Network Rail acknowledge that the effect of article 35 would extend to extinguishing rent payments in relation to both passenger and freight services. This would be within the scope of orders made under the 1992 Act. Section 1 of the 1992 Act provides that an order made under it can authorise matters "*relating to, or to matters ancillary to, the construction or operation*" of a railway. Section 5(1) of the 1992 Act provides that, without prejudice to the generality of section 1, an order can make provision for matters set out in Schedule 1 to the 1992 Act. This expressly includes, at paragraph 5, "*the abrogation and modification of agreements relating to land*". In addition, section 5(2) of the 1992 Act provides that an order can make provision "in relation to more than one scheme, system or mode of transport". As such, taking this together, it is clear that the 1992 Act provides a statutory basis for the inclusion of article 35, as currently drafted. The justification for its inclusion extends to the operation of the railway as a whole, not just to passenger services.

- 8.58 For all these reasons article 35 is a key provision in the Order to provide for the future viability of the operation of the Scheme.

9. LEVEL CROSSING CLOSURES AND CHANGES TO PUBLIC RIGHTS OF WAY

Background

- 9.1 As noted in section 3, the increased frequency and speed of the newly introduced passenger trains as a result of the Scheme necessitated a review of the existing level crossing provision along the railway line. The review concluded that a number of existing level crossings (both public and private) need to be closed from a safety and/or operational efficiency perspective before the Scheme is operational.
- 9.2 As such, the draft Order provides for the closure of five public level crossings (article 7 of, and Schedule 2 to, the draft Order) at Hospital, Newsham, Chase Meadows, Lysdon Farm and Palmersville Dairy and three private level crossings (article 8 and Schedule 3) at Bomarsund, Red Row Bridge and Holywell. The closure of these level crossings has the effect of extinguishing all public and private rights of way over them.
- 9.3 The level crossings proposed to be closed by the draft Order are set out below:

Table 13: Level crossings affected by the Order and the proposed alternative to be provided

Level Crossing	Status	Proposed Alternative/Solution
Palmersville Dairy	Public footpath	An underpass is to be provided
Newsham	Public highway	A highway overbridge is to be provided
Chase Meadow	Public footpath	A stepped footbridge is to be provided
Lysdon Farm	Public footpath	To provide a new section of footpath to join an existing PRow to cross the railway using an existing underbridge
Hospital	Public footpath	An underpass is to be provided
Holywell UWC	Private footpath	Level Crossing is not able to be used as the gates have been securely locked out of use by Network Rail
Red Row Bridge	Private footpath	NCC agree to relinquish the rights to use the crossing
Bomarsund	Private footpath	Level crossing gates have been welded shut NCC agree to relinquish the rights to use the crossing

- 9.4 As well as authorising the closure of the level crossing, the draft Order also provides for the relevant PRowS over the existing five public level crossings to be diverted through new underpasses or bridges (the physical works for which would be permitted by way of separate planning permissions from the local planning authorities) or to connect to an existing crossing that is part of the PRow network. The draft Order provides that none of the public level crossings can be closed until the alternative crossing solutions or connections have been completed to the reasonable satisfaction of the relevant highway authority and are open for use.
- 9.5 No replacement crossings are proposed in connection with the closure of the private level crossings, given their nature, use and the availability of existing alternative crossings nearby.

9.6 NCC has taken into account the requirements in section 5(6) of the 1992 Act that an Order cannot extinguish a PRow unless the Secretary of State is satisfied that an alternative right of way has been provided or that an alternative is not required. For the reasons set out above, NCC considers the proposed diversions of the public rights of way over the existing level crossings included in the draft Order to be suitable and convenient alternatives.

9.7 The rationale for the closure of each of the level crossings included in the Order is set out below.

Palmersville Dairy

9.8 Any down freight train stopping at T635 Signal currently straddles the level crossing. Up freight trains stop approximately 25m from the level crossing until T636 Signal clears and the train can then join the ECML (previously trains straddled the level crossing stopping at T636 Signal). Users are advised to observe to determine if a train is approaching and therefore whether it is safe to cross.

9.9 Down freight stoppages are more likely under future running with the single line section likely given priority to Up passenger trains. Therefore, it is likely that the level crossing straddling issue would worsen as a result of the Scheme if an alternative solution was not provided.

9.10 Perpetuating the existing line of sight arrangements or upgrading the crossing to a form of MSL was investigated as part of the Scheme development but regardless of considerations on the Up line, nothing could realistically be done to address the Down freight train straddling the level crossing.

9.11 Moving Benton East Junction and therefore, T635 Signal, was also considered but this caused a sighting problem on the Down line which, in turn, would have required the crossing to become an MSL which would not have been possible as different stopping positions for passenger and freight traffic would have been required.

9.12 Consideration was made to close the crossing altogether, but the diversionary route would have been over 2.5km in length, using a rural route formed of gravel surfaces in places and therefore, it was considered to be unrealistic for all potential users to be able to utilise this alternative route.

9.13 The only remaining option is to close the level crossing to be replaced by a grade-separated solution – with the preferred solution being an underpass close to the existing alignment of the crossing.

Newsham MCB

9.14 The level crossing currently suffers from vehicles blocking back over the level crossing which could cause an operational problem in the future as the barriers would need to be lowered a lot more frequently as a result of the Scheme. Currently the signaller is on site to manage the crossing but as the signal box is proposed to be closed, the level crossing would have to be operated remotely from a different signal box (Bedlington South).

9.15 It should also be noted that whilst the barriers are lowered, currently for an average of 200 seconds per operation, tailbacks build up quite quickly extending beyond the roundabout to the west and into Blagdon Drive to the east.

9.16 With the signaller potentially putting the barriers down early to pre-empt any issue they may have about the level crossing blocking back; this would likely increase barrier down time causing disruption to the local highway network.

- 9.17 Closure of the level crossing and replacing it with a highway overbridge would remove the operational and safety risk associated with the identified crossing blocking back and would also remove the highway blocking back so the local highway would move more freely including the roundabout to the west and access into the new station car park.

Chase Meadow

- 9.18 At this level crossing 45% of users are classed as vulnerable, and were identified areas unaccompanied children and not those with limited mobility. Use of the crossing by the elderly or those with impaired mobility is zero, likely due to the topography of the land on the western side of the crossing. A census carried out in 2021 identified 40 occurrences of misuse over the 14-day census period including:

- Trespass onto the lineside;
- Messing about / congregating on the level crossing;
- Vandalism at the level crossing;
- Throwing ballast in the area of the level crossing;
- Prolonged mobile phone usage whilst on the level crossing;
- Users with loose dogs over the level crossing.

- 9.19 The crossing is located on a long sweeping curve and as part of this project, the linespeed is increasing which means that it would no longer be safe for users to observe for the approach of trains to determine if it is safe to cross.

- 9.20 Therefore, the level crossing is proposed to be closed primarily on the basis of the high number of vulnerable users at the level crossing. The poor behaviour of users over the level crossing supports the closure of the level crossing on safety grounds and its replacement with a stepped footbridge. A plan showing the proposed solution is shown at paragraph 5.7 of *Northumberland Line - A Guide to the proposed TWA Order [APP15]*.

Lysdon Farm FP

- 9.21 Both from the east and west, the level crossing approaches are on a steep embankment leading up to the railway and are informal in nature, being formed of an overgrown, grass pathway. There is no decking at the level crossing surface.

- 9.22 The level crossing shows no sign of being used which is likely due to the steep embankment approach and the location of an underbridge, as an alternative means of crossing the railway, located only 130m to the north. Therefore, with little or usage over the crossing a grade separated solution was not considered appropriate at the existing crossing point. To maintain connectivity of the wider PRow network the solution at this crossing involves the creation of a new footpath to join an existing PRow to cross the railway using an existing underbridge. A plan showing the proposed solution is shown at paragraph 5.9 of *Northumberland Line - A Guide to the proposed TWA Order [APP15]*.

Hospital FP

- 9.23 There are three schools near to the crossing. The location of three schools near to the level crossing results in the crossing being used by school children as a means of walking to and from school. This results in intensive usage of the crossing in the morning, around 08:00 to 09:00, and in the afternoon, 15:30 to 16:30. Usage of the crossing at other times will mainly be residents on the downside (west) using the crossing to access the shops and amenities in Ashington. The level crossing is not on a designated cycle route but cyclist usage averaged 48 crossings per day.

- 9.24 The approaches to the crossing are via a concrete path which slopes up to the level crossing. The approaches run at a 45° angle to the railway before crossing the railway

perpendicular to the running lines. The issues identified on this approach relate to the angle of approach and this will require some ancillary civils work to re-grade the crossing approach. These re-grading works would need to take into consideration that a straight approach to the level crossing will be required.

- 9.25 Network Rail has identified anecdotal evidence of misuse and antisocial behaviour at the crossing. Such behaviour in combination with the increased train services as a result of the Scheme would result in serious safety concerns regarding deliberate misuse and accidental user human error at the crossing and increasing the overall risk.
- 9.26 A new track junction, Ashington Junction will be located immediately to the north of Hospital Level Crossing. A new station with bay platform will be located to the north of the level crossing. Up direction passenger trains will be leaving the Downside Bay platform and will move across to the Up line, so there is an element of bi-directional movement to rationalise when a pedestrian is looking toward the station increasing the safety risk at the level crossing.
- 9.27 Following a review of the above factors, it is proposed that the level crossing is closed and replaced by an underpass. A plan showing the proposed solution is shown at paragraph 5.4 of *Northumberland Line - A Guide to the proposed TWA Order* [APP15].

Holywell UWC

- 9.28 Currently, this private UWC is blocked from being able to be used as the gates are securely locked out of use by Network Rail. However, there remains a claimed right to use the crossing. Whilst there is no present reason to close the crossing on the grounds of safety as it is not being used, its future use without further interventions would present risks which would be increased through the implementation of the Scheme. The installation of telephones and upgrade of the crossing surface would be required to allow the crossing to operate safely if it were to remain open, and since it is not used the proposal is for it to be extinguished.

Red Row Bridge FP

- 9.29 In the case of Red Row Bridge Level Crossing, the level crossing has been blocked off and is not accessible. Historical photographs appear to show that the crossing has not been in use for the last 10 years. Re-opening the crossing would present risks which be increased through the implementation of the scheme. The private footpath rights over the level crossing are held by NCC and therefore a voluntary release of those rights may be secured prior to the making of the Order. Therefore, Red Row Bridge Level Crossing is proposed to be closed. The private rights over the level crossing are held by NCC and therefore a voluntary release of those rights may be secured prior to the making of the Order.

Bomarsund UWC

- 9.30 In the case of Bomarsund UWC Level Crossing, the level crossing is currently not used as the Up gate is welded shut and the Down gate is padlocked. The level crossing was previously believed to have been used by a local authority horticultural college. Re-opening the crossing would present risks which be increased through the implementation of the scheme. The private rights over the level crossing are held by NCC and therefore a voluntary release of those rights may be secured prior to the making of the Order.

Other proposed permanent modifications to public highways

- 9.31 As well as the diversions of the public rights of way associated with the closures of the level crossings over which there are PRoW, the draft Order also includes powers to permanently stop up other areas of highway required in connection with the Scheme. Further detail is provided below.

- 9.32 Two public rights of way (Backworth 2 and 13) would be stopped up through existing Underbridges 35 and 36 and diversions created through new replacement underbridges. The works to the underbridges will be carried out as permitted development, subject to prior approvals from the local planning authority.
- 9.33 In addition, a small portion of existing bridleway (300/016) is proposed to be permanently stopped up and diverted to account for the new layout of the proposed new footbridge at Chase Meadows.
- 9.34 The stoppings up cannot take effect until the diversions have been completed to the reasonable satisfaction of the highway authority and are open for use (or a temporary alternative is provided in the interim).
- 9.35 The draft Order also makes provision for irregular sections of vehicular highway to be stopped up in Newsham, to account for the new road layout to be implemented at this location as a result of the new railway station and highway overbridge across the railway. In addition, two footpaths (300/162 and 300/031) in Newsham are proposed to be stopped up and diverted. In all cases, the stoppings up cannot take effect until relevant diversions in accordance with the planning permission for the new Newsham Station are in place.
- 9.36 The draft Order also provides for certain sections of highway to be stopped up, with no diversion provided. These stoppings up are necessary because these sections of highway are either becoming defunct as a result of new station works (in respect of a portion of vehicular highway at Ashington and Park Terrace in Bedlington), or incompatible with new footpath layouts to be implemented (where suitable diversionary routes will be provided).
- 9.37 As with the level crossing proposals, NCC has taken into account the requirements in section 5(6) of the 1992 Act that an Order cannot extinguish a PRow unless the Secretary of State is satisfied that an alternative right of way has been provided or that an alternative is not required and considers the proposals in the draft Order are compliant with these requirements.

Proposed temporary stoppings up of highways

- 9.38 The draft Order includes (at article 10) powers to temporarily stop up streets. Schedule 5 to the draft Order contains a list of streets that may be stopped up, following consultation with the relevant street authority. Any other street can only be stopped up with the consent of the street authority.
- 9.39 This power is necessary to enable existing streets to be closed temporarily to avoid any interference during construction (e.g. where a footpath runs through a proposed worksite). The draft Order provides a power to create temporary diversions, and these would be implemented where necessary.

10. REQUEST FOR DEEMED PLANNING PERMISSION

- 10.1 As set out above, the primary works for the Scheme are proposed to be permitted by way of express planning permissions granted by the local planning authorities. As such, the draft Order only seeks to authorise a limited range of ancillary works required to facilitate the Scheme. There are primarily set out in article 3 of the draft Order, and consist of:
- a) works required within the Order limits to provide for the new permanent and public rights of way to be created under the Order, as well as works required for the laying out of any temporary diversions of public rights of way during the construction of the Scheme;

- b) works required to provide parking bays at four level crossings, for the use of maintenance staff – these works can only be carried out on specified plots;
 - c) works to construct temporary worksites and associated facilities during construction of the Scheme - these works can only be carried out on specified plots; and
 - d) works to lay out temporary haul roads during construction of the Scheme - these works can only be carried out on specified plots.
- 10.2 The draft Order contains additional powers which authorise works that could constitute 'development' for the purposes of the TCPA 1990. Specifically, the powers contained in articles 4 (in relation to surveys and investigations of land), 5 (the discharge of water), 6 (works to trees), 12 (the laying out of means of access) and 13 (street works).
- 10.3 Alongside the application for the Order, NCC has submitted a request to the Secretary of State for a direction under section 90(2A) of the TCPA 1990 for deemed planning permission for all of these works [APP14]. The request contains, at Appendix 1, a set of draft conditions proposed to be attached to such deemed planning permission if granted. These would provide suitable controls in relation to highway works, construction methodologies and construction transport management. These conditions are considered appropriate in the context of the nature and scale of the works proposed to be authorised by the Order and have been shared with the local planning authorities – no concerns have been raised to date.
- 10.4 The document entitled *The Northumberland Line: A Guide to the Proposed TWA Order* [APP15] that accompanied the application for the Order provides more detail on the location and nature of the works proposed to be authorised by the Order.

11. ENVIRONMENTAL EFFECTS

- 11.1 To confirm whether an Environmental Impact Assessment was required in relation to the application for the Order, NCC requested a screening direction from the Secretary of State under rule 7 of the 2006 Rules. On 3 March 2021, a negative screening decision was issued [APP8]. As such, an Environmental Impact Assessment has not been prepared to accompany the application.
- 11.2 As part of that request for a screening direction, NCC set out a brief description of the potential environmental impacts arising from the physical works to be authorised by the Order, which are summarised as follows:
- a) Traffic and Transport – the temporary closure or diversions of public rights of way due to the construction compounds and laydown areas may give rise to short-term impacts on the quality of the walking environment of pedestrians, but would be of a temporary and localised nature. The creation of new means of access and proposed new parking bays have the potential to cause temporary disruption to traffic whilst the works are being carried out.
 - b) Biodiversity - The works to the access routes and temporary compound and laydown areas have the potential to disturb both species and habitats, but only in the short term with there being the potential for restoration of sites as appropriate.
 - c) Air Quality - Emissions associated with the temporary compound and laydown areas required for the Scheme may have a temporary impact on air quality. However, it is not considered the impact will be significant due to the temporary nature of these facilities. Construction activities and the associated vehicle movements have the potential to generate dust and emissions to air.

- d) Noise and vibration - The temporary work sites will impact on adjacent noise receptors; however, the impact will be on a temporary basis. Mitigation of construction effects on sensitive receptors (species and residential properties) will be possible through the siting of the areas. Some mitigation of the noise generated by construction will be possible by limiting night-time working and working methods/equipment. However, some short-term noise and vibration effects on residential properties will be inevitable as a consequence of the necessity of undertaking engineering works.
 - e) Water resources - The number of temporary compound and laydown areas required for the Scheme may have a temporary impact on water resources. However, it is not considered the impact will be significant due to the temporary nature of these facilities.
 - f) Archaeology and heritage - The construction of temporary compounds and laydown areas may have a temporary negative impact on heritage assets. However, this impact is temporary by nature. As such, it is not anticipated the laydown areas will have an impact in the long-term.
 - g) Ground conditions - The number of temporary compound and laydown areas required for the Scheme may have a temporary impact on ground quality. However, it is not considered the impact will be significant due to the temporary nature of these facilities. Ground disturbance work will potentially take place at temporary access routes. However, these disturbances will be temporary.
 - h) Landscape and visual amenity – During construction there will be short term temporary effects and for localised areas of landscape. The introduction of lighting, hoardings, machinery, plant and equipment will have a short-term adverse effect on the landscape character and visual amenity.
 - i) Health and wellbeing - The construction of temporary compounds and laydown areas are likely to have a temporary negative impact to the health and wellbeing of residents. The laydown areas are likely impact factors which affect residential amenity including noise, air quality and traffic. However, this impact is temporary by nature. As such, it is not anticipated the laydown areas will impact on health and wellbeing long-term, and as such the impact is not significant.
- 11.3 As referred to above, the request for deemed planning permission includes a number of proposed planning conditions which would have the effect of controlling any impacts from the works proposed to be authorised by the Order to ensure no likely significant effects occur. The conditions require the submission to the local planning authority of a construction environmental management plan and a construction transport management plan which must be approved prior to the commencement of any works authorised by the Order. This is considered appropriate, given the limited nature of the works authorised by the Order, and would suitably manage potential impacts on traffic and transport, biodiversity, air quality, noise and other matters.
- 11.4 The environmental impacts associated with the primary works required for the Scheme will be the subject of suitable controls through planning conditions attached to grant of any planning permissions obtained from the local planning authorities. Both local planning authorities have issued negative EIA screening opinions **[APP42]; [APP43]** for the Scheme, concluding that it would not be likely to give rise to significant effects on the environment.

12. SCHEME DEVELOPMENT AND ALTERNATIVES

Development of Potential Interventions and Initial Sift

- 12.1 The case for intervention has been developed over several years, with many options considered to improve transport connections to/from the South East Northumberland corridor. Key to this was the South East Northumberland Public Transport Corridor Study (December 2011) [APP39], which developed an overarching evidence base for the area. This evidence base has been reviewed as the business case has developed and the findings remain relevant. As part of this study, a long list of options was developed. In total, 46 possible interventions were identified covering eight different categories. These interventions were appraised using the DfT's Early Assessment Sifting Tool (EAST), alongside the following study specific objectives:
- (a) Improve access to job opportunities for South East Northumberland residents; increasing the rate of employment, via reduced congestion and improvements to both journey time and reliability;
 - (b) Improve the Public Transport offer to/from and within South East Northumberland and encourage modal change away from the private car;
 - (c) Seek to reduce the environmental impacts associated with travel in South East Northumberland; and
 - (d) Work towards improving road safety in South East Northumberland.
- 12.2 Following completion of the EAST appraisal, interventions were prioritised according to their score against the objectives that bore out of the evidence base collated as part of that study. The top-ranking interventions from this study are outlined below:
- (a) Improvements to express bus services from South East Northumberland into Tyne and Wear to identify quicker, more direct routes and gaps in service;
 - (b) Personal travel planning at large employment sites across South East Northumberland;
 - (c) Reopening of the existing freight line to heavy rail passenger services from South East Northumberland into Tyne and Wear; and
 - (d) Extend Tyne and Wear Metro into South East Northumberland.
- 12.3 All of these interventions were identified to contribute to some degree in achieving the objectives of the 2012 study, although some were likely to contribute significantly more than others. On that basis, each one was considered on merit and discussed with relevant stakeholders to determine whether and how each might be progressed.
- 12.4 From these discussions, it was concluded that improvements to bus services would not create the step change in the transport offer that is needed to address the existing transport connectivity issues in South East Northumberland. Personalised travel planning would also not provide an alternative transport option to the private car but is seen as complementary to other schemes. This resulted in Metro extensions and the Northumberland Line scheme being given further consideration.
- 12.5 Initially, the extension of the Tyne and Wear Metro into South East Northumberland was discounted due to the requirement for overhead line electrification or the need for an alternative fuel solution. However, as a heavy rail solution has been developed, the extension of the Tyne and Wear Metro has frequently been revisited to ensure an opportunity is not being missed, particularly given advancements in technology in the

intervening period. Despite the time which has elapsed, the current Metro fleet would not have the capability of running through to Ashington without electrification of the line.

- 12.6 Other disadvantages of an extension to the Metro include relatively uncompetitive journey times into Newcastle compared with a heavy rail solution, the lack of capacity over the core Metro network through central Newcastle to introduce additional services and the perception that Metro is for shorter distance trips with more room for standing passengers and less seating available. It is, however, worth acknowledging that the service proposition for the Northumberland Line operation set out in the UBC is proposing an extension of the Tyne & Wear Metro zonal fares structure to cover the corridor.

- 12.7 Based on the above, a heavy-rail based intervention is required to meet the scheme objectives. It is this option which has been developed since the OBC was submitted.

Consultation on the Scheme

- 12.8 The local community has been engaged on the Scheme through information in local media and information on NCC's website. A public consultation on the scheme took place between 2 September and 18 October 2019 and received 971 responses. The primary objectives of the consultation were to raise awareness of the scheme and to gather initial feedback on what it should offer to local residents. 96% of respondents were supportive of reopening the railway line between Ashington and Newcastle to passenger services.

- 12.9 A second phase of public consultation took place between 16th November and 16th December 2020 and received 1024 responses. The purpose of the consultation was to gather feedback on the proposals for the stations, changes to level crossings and land required to build the Scheme. 91% of respondents were either fully, mostly, or slight supportive of reopening the railway line, with only 5% of respondents not supportive of the proposals. The main reasons given for respondents not supporting the Scheme were the impacts of increased traffic as a result of the stations, increases in air pollution and wider environmental impacts such as ecology and landscape.

- 12.10 In response to issues raised through the second public consultation, targeted engagement has taken place with a number of residents groups, and this will continue as the Scheme progresses.

- 12.11 As well as engagement with all stakeholders and the general public, strategic engagement with key stakeholders and project partners is conducted through the Programme Board, which meets every two months, and the Programme Delivery Group, which meets monthly. These meetings are attended by representatives from Northumberland County Council, the DfT, Network Rail, TfN, NEXUS, Northern, NTC and ORR. Regular and technical interface meetings also take place with Network Rail, NEXUS, local authority officers and various other statutory stakeholders.

13. FUNDING

- 13.1 As stated in the Funding Statement [APP6] the Scheme, including the Order Scheme inclusive of compensation and any acquisition of blighted land (the Estimate of Costs [APP13] for the Order Scheme is £15,165,234), is fully funded to the total estimated costs of £167m.

- 13.2 As detailed in the Funding Statement the costs of works to date at the time of the application for the Order were £13.187m funded by NCC (£6.687m) and the DfT (£6.5m). The remaining funding will be provided by NCC (£20.538m) and DfT (£133.275m) as confirmed in the Funding Statement.

14. PROJECT DELIVERY

14.1 The Scheme is being delivered as a '3rd party investment' in the national rail network by NCC. In delivery of the Scheme, NCC is working closely with Network Rail and Northern Trains whilst also drawing on the support of several key regional organisations, such as NEXUS and NTC.

14.2 As a 3rd party investor, NCC has led the development of the Scheme from initial concept through to the completion of the Outline Design ("Approval in Principle"), undertaking the following activities:

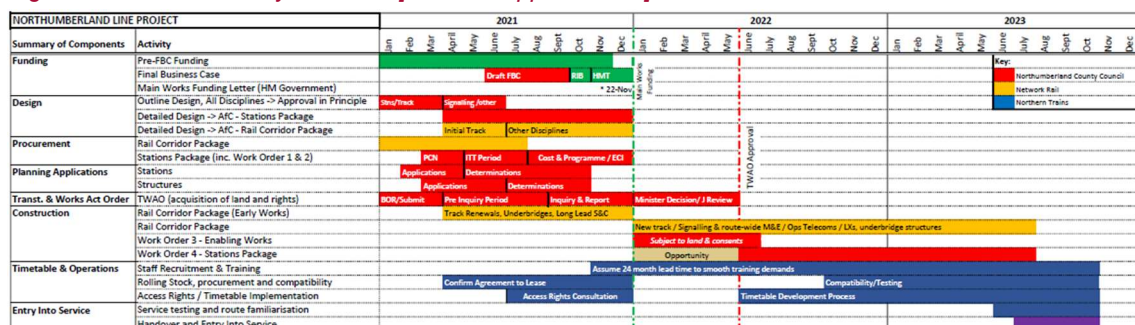
- procurement and management of the option selection and outline design (AECOM appointed as "Programme Designer");
- development and implementation of the public consultation and planning application strategy;
- establishment of the Scheme's governance structure and development of the delivery strategy;
- management of funding, risk and programme, including Strategic and Outline Business Case and integrated delivery schedule;
- engagement with Network Rail and the Freight / Train Operators (FOCs / TOCs); and
- management of the Scheme's application of Common Safety Method (CSM) and Railway Interoperability Regulations (RIR) as proposer of change and project entity.

14.3 In 2020, the Scheme was included within the Government's Project SPEED initiative with the aim of reducing cost and accelerating delivery. This resulted in a review of the Scheme's delivery strategy and a decision was taken to split responsibility for implementation between NCC, NT and NTL based on which organisation was best placed to control delivery risk and therefore the potential for cost and programme overrun. Responsibility was divided as follows:

- The 'Stations Package' consists of the 6 new stations and 4 structures (Palmersville Dairy underpass, Chase Meadow footbridge, Blyth Bebside foot / cycle bridge and Newsham road bridge) and will be delivered by NCC;
- Network Rail will deliver the 'Rail Corridor Package' of works; and
- Northern Trains will be responsible for the 'Timetable and Operations Package' of works.

14.4 The timetable for the delivery of the Scheme is as shown in Figure 4 and replicated at larger scale in Appendix C.3.

Figure 4: Scheme delivery timetable [see also Appendix C.3]



14.5 The works authorised by the Order will be delivered under the Stations Package (by NCC) and the Rail Corridor Package (by Network Rail). As a result, there will be two construction methodologies to manage the works, but both will be coordinated by

the Scheme's IPMO. Delivery of the Stations Package will be via a 'traditional' build-only contract and NCC has appointed a contractor to undertake the works on its behalf. Network Rail will deliver the Rail Corridor Package via an existing framework alliance with Amco, Balfour Beatty and TSO (the "Central Rail Systems Alliance").

14.6 Procurement of the contractor to deliver the Stations Package was undertaken by NCC in accordance with public-sector procurement regulations. The contractor was appointed to no-obligation framework against which works would be called-off in accordance with programme requirements and funding allocations.

14.7 In the procurement of the contractor, NCC included within the contract 'Works Information' a suite of obligations and measures regarding site methodologies and mitigations to minimise the impacts of construction on lineside neighbours. These included:

- The requirement to comply with planning conditions and any such conditions imposed by the Order, including any restrictions on noise and vibration, working hours, site access arrangements etc.;
- The control of hazardous and other waste arising from the sites and / or during construction;
- The accommodation of interfacing projects along the route (i.e. non-rail developments / projects close to, or affected by, the construction of the new stations and structures);
- The provision of safe pedestrian access adjacent to the work sites throughout the delivery of the works;
- The protection of existing structures and utilities during the works;
- Compliance with any and all legislation and related planning conditions imposed to protect existing environmental and ecological features;
- The requirement for the contractor to implement a "good neighbour" strategy which informs all those reasonably affected by the construction works of forthcoming activity and potential interference. This also includes the requirement for a community liaison officer to work with local residents to allay concerns, deal with potential issues; and
- Social value initiatives to leave a lasting, positive, legacy within the local community.

14.8 Network Rail will require its contractors to take reasonable steps to minimise the impacts of construction on lineside neighbours. It should be noted, however, that a significant proportion of the Rail Corridor Package works will need to be undertaken at night and at weekends in order to minimise disruption to existing freight traffic on the Northumberland Line. Network Rail will work with NCC and the IPMO to minimise the impacts on affected parties.

14.9 At the point of completion of the Station Package and Rail Corridor Package works, Northern Trains will begin in-cab driver training to ensure appropriate route-knowledge for its staff prior to the introduction of passenger services. This process is expected to take approximately 12 weeks and will run in parallel with the Entry into Service procedure for the Scheme which will be led by NCC and managed by the IPMO.

15. **OBJECTIONS AND REPRESENTATIONS**

15.1 The Application was submitted to the Secretary of State on Wednesday 26 May 2021.

15.2 Any objections to, or other representations about, the proposals in the Application were to be sent to the Secretary of State for Transport before Thursday 8 July 2021.

15.3 By the close of the objection period 27 letters of objection 5 representations and 25 letters of support were received by the Secretary of State. Of the 27 objections, 13 were from 'statutory objectors' for the purposes of s 11(4) of the 1992 Act.

- 15.4 NCC is currently undertaking ongoing engagement with objectors, and other affected parties, with a view to providing suitable assurances and, if necessary, reaching agreements which would allow the objections to be removed.
- 15.5 The objections are summarised Table 14 as follows.

Table 14: Summary of objections

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
OBJ1 OBJ3 OBJ4 OBJ5 OBJ6 OBJ7 OBJ9 OBJ10	Residents in the vicinity of the proposed underpass to replace Hospital Level Crossing Graham Harding Cheryl Gibb Michelle Symons Tom Barker Nichola Priest Gemma Thompson Shaun Tanney Lesley Ann Perkins	Crime, anti-social behaviour and safety	<p>Safety is vitally important to the project and has been a key consideration for plans to reopen the Northumberland Line to passenger services.</p> <p>The design of the underpass will aim to limit anti-social behaviour by providing good quality lighting. CCTV will also be installed, and the length and span of the underpass will be limited to reduce the time users spend travelling through it.</p> <p>Visibility will also be improved for users by providing splays at the underpass entrances, which will limit blind spots and improve users' personal security. Walking routes with pedestrian guard rails will also be provided for safety. It is hoped that the improvements made as part of this scheme will provide a more open, improved public space.</p>
		Information required in respect of footpath diversions	NCC has contacted with objectors to clarify the proposals regarding the diversion of footpaths associated with the underpass.

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		Location of underpass should be moved north or alternative options considered	<p>The proposed underpass location performs best in terms of accessibility and journey times. Moving the underpass further north would increase the span of the underpass, due to its location under the turnout into Ashington station bay platform, meaning users would have to spend more time under the railway. Moving it further north or south would make it harder to maintain a suitable gradient for users with restricted mobility.</p> <p>NCC considered various enhancements to the level crossing, including miniature stop lights, but the risk of each of them was still found to be too high.</p> <p>Diverting current users of Hospital Level Crossing to Green Lane Level Crossing would increase the risk at Green Lane Level Crossing. This is compounded by the fact that Green Lane Level Crossing only has a footpath on one side, which would mean all pedestrians would be clustered there at peak times.</p> <p>The length of a diversion via Green Lane or Ashington Station would make the route very long for persons of reduced mobility, especially in an urban area, meaning it is unlikely to be acceptable or approved.</p>

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
OBJ2 OBJ8 OBJ16 OBJ18	Owners and residents at Fenwick Close Pauline and Peter McKinney Catherine Hopkins Lynda Clough Chris Scorer	Impacts on wildlife and the environment	An Ecological Impact Assessment was carried out as part of the planning application for the station. This assesses whether the development at the station site, including the proposed mitigation, will result in an overall gain in biodiversity of 10% - which is a requirement of planning policy. The assessment concludes that the proposed development will have an impact on the biodiversity of the site, with biodiversity being lost largely due to felling of the existing plantation woodland. However, it is proposed that through replacement planting of a variety of native tree species at nearby locations to support local wildlife populations, an overall 10% biodiversity net gain will be achieved.
		Impact on property values and rental income	<p>NCC does not expect the temporary impacts during construction to affect property values. Any impacts during the construction period would be temporary and relatively short-lived.</p> <p>NCC does not anticipate that the operation of the new station will have any negative impact on property values or the saleability of homes on Fenwick Close. Studies have shown that improvements in local transport infrastructure, new train services and new stations encourage investment in housing, shopping and other services.</p> <p>There is an established legal framework under Part 1 of the Land Compensation Act 1973 which provides for compensation to be paid where the value of a property</p>

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
			is depreciated by certain factors arising from the use of certain 'public works' such as a railway.
		The temporary loss of car parking spaces, bin storage and communal garden area.	<p>If the bin storage area is required temporarily during the works, an alternative bin storage area will be made available in a location that is convenient for residents.</p> <p>NCC will seek to avoid the temporary loss of any car parking spaces wherever possible. Where a temporary loss of parking spaces is unavoidable NCC will seek to make alternative parking available and will liaise with residents as to the most convenient location for this.</p>
		Noise and vibration impacts	<p>Construction noise associated with the works at the station site will be managed to comply with consents issued by NTC under the Control of Pollution Act 1974. The local authority also has the power under this Act to take enforcement action in relation to construction noise and therefore control these impacts.</p> <p>It is expected that environmental management measures, including noise mitigation, would be required under conditions placed on any planning permission granted for the station. In particular, if granted, the planning permission would require a Construction Environmental Management Plan ("CEMP") to be prepared. The CEMP requires contractors to comply with specific measures to mitigate impacts arising from construction.</p> <p>A Noise and Vibration Impact Assessment has been conducted to support the planning application for the station. This assessment will be subject to scrutiny by NTC as part of the process of determining the planning application.</p> <p>In respect of vibration affecting the structural integrity of local buildings, the assessment concludes that it is highly unlikely that buildings will be damaged by construction vibration and that operational vibration impacts are anticipated to be acceptable.</p> <p>The Noise and Vibration Impact Assessment sets out the proposed measures to control and manage operational noise from trains and road traffic and from the</p>

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
			use of the PA system to make station announcements. In particular, it is proposed that PA system noise impacts are controlled through a condition requiring implementation of best practice measures to minimise noise impacts and restriction of PA system operations to 07:00 to 23:00 only.
		Anti-social behaviour at the station	The local police have been consulted on the proposals for the station and any comments they provide in response to the proposals can be taken into account by NTC when determining the application.
		Removal of trees	A number of trees will need to be removed as result of the works. Information about these trees is contained in the Arboricultural Impact Assessment undertaken as part of the planning application for the station works (21/00299/FUL). The assessment also sets out the mitigation measures that will be adopted to allow for the retention of significant trees or to compensate for trees that will be removed.
		Construction traffic	In respect of construction traffic, the planning conditions attached to the planning permission for the works will require a Construction Traffic Management Plan ("CTMP") to be prepared and approved by the local authority. The CTMP will include measures to ensure that disruption to local roads and access routes is minimised and to control impacts such as dust and mud generated by construction vehicles.
		No need for works. Could adjust the timetable or extend the existing track and platform instead of constructing a new platform at Northumberland Park.	<p>Operationally the timetable would not work if the project attempted to intersperse the half hourly Northumberland Line timetable into the 5 Metro trains per hour in each direction at Northumberland Park.</p> <p>In addition, signalling and other infrastructure alterations would be required to enable the running of heavy rail train services on a light rail network.</p> <p>Additional junctions would be required within the track to allow Northumberland Line trains to get on to the Metro lines local to Northumberland Park and off again by Benton in order to maintain the available platform slots at Newcastle Central as there is insufficient capacity on the Metro lines to accommodate half hourly</p>

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
			Northumberland Line trains all the way into Newcastle and the number of Metro stops between would also introduce negative impact on journey time.
OBJ11	Northern Power Grid (NPG)	Require appropriate protective provisions in relation to impacts of the scheme on their assets and apparatus.	The protective provisions for the benefit of statutory undertakers in Schedule 11 to the draft Order provide appropriate protection.
		Relocation of distribution substation at Ashington.	The substation does not need to be relocated as a result of the Scheme. However, NCC is in ongoing discussions with NPG regarding its potential relocation if this is something NPG wishes to pursue.
OBJ12	Lord Hastings	Request clarification on the rights and lands intended to be acquired as part of the Order.	NCC has provided clarification on the rights and land intended to be acquired and is in discussions with Lord Hastings with a view to reaching agreement on securing the necessary land for the Scheme.
OBJ13	Blagdon Estates	Notices have not been served.	Updated notices have been served.
	Right Honourable Matthew White Fifth Viscount Ridley	The proposed permanent land take of the Blagdon land is excessive and unjustified.	Discussions are ongoing between the parties as to the Blagdon land held by the Fifth Viscount Ridley with a view to reaching agreement on securing the necessary land for the Scheme.
	The Hon Matthew White Ridley	Information requested on proposed temporary use of the Blagdon land.	Discussions are ongoing between the parties and information on the proposed temporary land use has been provided.
	Plessey Checks Farming Limited	Objection to land take from Plessey Checks Farming Ltd land which appears to	Discussions are ongoing between the parties as to the land held by PCFL with a view to reaching agreement.

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		extend beyond the highway verge.	
OBJ14 and OBJ17	Watsons Haulage Ltd	Proposed use of land will have adverse impact on the operation of business.	The extent of land included in the Application is being reviewed and an update will be provided once this has been finalised.
OBJ15	Mrs A Hopwood	Impacts of acquisition of part of garden at the rear property (28 Blenheim Drive, Bedlington)	The design of Bedlington Station has been refined to minimise land take at Bedlington, and the extent of land required from the garden of 28 Blenheim Drive has been reduced by approximately six metres. This has been confirmed to Mrs Hopwood via letter, and a revised plan has been issued.
OBJ19	BDW Trading Ltd	<p>Temporary use of part of land adjacent to the railway line situated to the west of Seaton Red House Farm (Parcel 145) as a temporary construction compound.</p> <p>The proposed use of this land would inhibit BDW Trading Ltd from implementing planning permission.</p>	NCC is in discussions with BDW. The extent of land included in the Application is being reviewed and an update on the land requirements will be provided once this has been finalised.
OBJ20	NEXUS	<p>Concerns regarding the new underpass to replace Palmersville Dairy Level Crossing, including:</p> <ul style="list-style-type: none"> • Works or structures must not cause any driver sightline issue or 	<p>Discussions regarding a draft agreement between NCC and Nexus covering these points are ongoing. NCC is offering to enter into an asset protection agreement and provide suitable binding assurances including:</p> <ul style="list-style-type: none"> • Nexus involvement in design of underpass • Track monitoring • Advance notice of closure of footpath

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		<p>distraction for train crew;</p> <ul style="list-style-type: none"> • Clarity of ownership is required; • Nexus infrastructure to be protected from flooding or other disturbance; • Access required from underpass and trackside; • Design of cycle way/footpath to be examined by Nexus; • Track monitoring during construction; and • Advance notice of footpath closures. 	
		<p>Holystone Farm access. Concerns raised topic include:</p> <ul style="list-style-type: none"> • Requirement for details of when temporary access will be required and for how long; • Access for Nexus and the residents of the properties served by the bridge will be required at all times; 	<p>Discussions regarding a draft agreement between NCC and Nexus covering these points are ongoing. NCC is offering to enter into an asset protection agreement and provide suitable binding assurances including:</p> <ul style="list-style-type: none"> • Advance notice will be given of NCC's use of the Holystone Farm Access and bridge. • Access for Nexus and properties served by access road and bridge to be maintained at all times. • Compliance with relevant load-bearing restrictions. • NCC will not park any vehicles on the access road or bridge. • NCC will make good any damage to the access road and bridge.

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		<ul style="list-style-type: none"> • Load bearing restrictions on bridge must be followed; • Temporary works must be agreed with Nexus; • No vehicles must be parked on the access road or bridge; and • Damage to the access road or bridge must be made good. 	
		<p>Northumberland Park Metro Station.</p> <ul style="list-style-type: none"> • Cost of maintenance of the bridge and access road to be contributed to; • Load bearing restrictions to be followed; • Temporary works must be agreed with Nexus; • Damage caused by Northumberland County Council to be made good; and • Access road and bridge to be unobstructed as far as reasonably practicable but so that access to the station is available at all times. 	<p>Discussions regarding a draft agreement between NCC and NEXUS covering these points are ongoing. NCC is offering to enter into an asset protection agreement and provide suitable binding assurances including:</p> <ul style="list-style-type: none"> • Compliance with load-bearing restrictions when using bridge. • Make good any damage to the bridge. • NCC to avoid obstructing Algernon Drive and access road as far as reasonably practicable during the works. • NCC to maintain access to Nexus station at all times during works. Any temporary access routes to be agreed with Nexus.

	Objection	Grounds of objection	NCC's position (as at 1 September 2021)
OBJ21	The Northumberland Estate (Duke of Northumberland / Percy Family)	Unclear delivery mechanism for the scheme.	<p>It is entirely appropriate for a local authority to promote a transport scheme which will improve connectivity and support economic growth in its area. Indeed, there are a number of examples where third parties which are not 'rail authorities' have applied to promote rail and other local transport schemes.</p> <p>Whilst NR may be responsible for the delivery of some of the rail elements of the Scheme, it does not follow that NCC is 'semi-detached' from those aspects of the Scheme as is claimed in the Objection.</p> <p>The Scheme is being promoted and delivered as a '3rd party investment' in the national rail network by NCC with financial support from the Department for Transport.</p>
		The application for the Order is premature, and there is a lack of clarity in the land requirements.	<p>NCC does not accept that the proposed land take reflects a lack of certainty as to the Scheme's requirements or that the application for the Order is premature. The land that is proposed to be subject to powers in the Order reflects the extent of land that is required based on the current stage of design development, which is that typically used to define applications for TWAOs. The design and its associated land requirements will be refined as the detailed design is produced (as with any infrastructure project), but it is important to secure powers over all land that has been identified at this stage as being required for the Scheme to ensure timely delivery.</p> <p>The absence of planning permission and a final design does not mean that the application for the Order is premature. The proposals contained in the Order have been developed in parallel with the preparation of the planning applications, the remainder of which are being submitted over the next few months.</p>
		Lack of certainty that the scheme will be operationally viable; an operational case must be put forward.	NCC submitted an Outline Business Case ("OBC") to the DfT that set out and quantified the benefits that could be realised by the Scheme. The OBC was scrutinised by DfT and approved at its Rail Investment Board on 10 November 2020. This demonstrated that the Scheme has a positive economic case (where the Scheme's benefits outweigh the Scheme's costs) and this led to a further

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
			release by DfT of a tranche of funding based on its outputs. NCC will provide evidence on the operational case for the Scheme at the forthcoming inquiry.
		The inclusion of Article 35.	NCC and NR consider that the inclusion of article 35 is justified for the reasons set out in section 8 of this Statement of Case.
		Confirmation of who will be liable for the maintenance of Algernon Bridge.	NCC is aware of the interface with Nexus at this location in terms of the current maintenance arrangements. NCC is progressing discussions with Nexus which, amongst other items, will seek to deal with any revised maintenance arrangements and liabilities at this location arising from the Scheme.
		Compulsory acquisition of plot 95a and extinguishment of private right of way comprised in the Holywell user-works crossing.	<p>This plot was included in error and NCC can confirm it does not require a power of acquisition over this plot. NCC will seek the removal of the power of acquisition over this plot in the draft Order.</p> <p>The only powers sought over this land are of the extinguishment of rights over Holywell UWC to facilitate its closure (under article 8 of the draft Order).</p> <p>NCC understands that Network Rail is considering the arrangements at Holywell UWC and will shortly be in touch directly with the Estate with a view to reaching a mutually agreeable solution.</p>
		The proposed acquisition of plots 102a – 106 inclusive for the purposes of a new underpass.	NCC has concluded that powers of acquisition over the Estate's interests in these plots are not required for the purpose of the works to the underpass, given the existing rights conferred by the wayleave agreements. NCC considers that (on a precautionary basis) powers over these plots are required to deal with any adverse third-party rights that may subsist. As such, NCC proposes that plots 102a-106 remain subject to powers of compulsory acquisition, but that the interests of the Estate in these plots are excluded from the Book of Reference such that the powers in the Order would not apply to them.
		Objection to Plot 64, the multi-storey car park, being	NCC has considered the points in the Objection relating to plot 64 and the multi-storey car park and has concluded that the power in the Order to acquire new

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		designated as land over which new rights may be acquired for the specific purpose of 'access for station'.	rights of access does not need to extend to the car park building. As such, NCC proposes to remove the car park building from plot 64 on a revised sheet of the Land and Works Plans. The power in the Order to create new rights will be retained only in relation to the road layout within plot 64 that surrounds the multi-storey car park, as rights to use those roads to access the new station are required on a permanent basis (as well as a need to potentially use those roads during construction).
OBJ25	Malhotra Commercial Property	Lack of meaningful engagement on proposals for the site.	NCC has been in communication with Malhotra since November 2019 in relation to the potential need for some of Malhotra's land in connection with the Scheme. Discussions have been ongoing since then.
		Loss of potential care home development.	It will be for the local planning authority to determine Malhotra's planning application for the care home.
		No evidence to demonstrate the benefits of using the objector's land as opposed to using alternative sites or as to whether any alternative method could have been considered to reduce the impact on the objector's land.	The location of Ashington station and its associated facilities has been carefully considered. The proposed location on the site of the former Ashington station is considered to be the most suitable location as it is close to the High Street and has sufficient space on either side for car parking. The Statement of Aims [APP3] submitted with the application for the TWA Order summarises the overall benefits which the Northumberland Line is intended to deliver. The location and design of the proposed station at Ashington and its associated car park are an integral part of the Scheme and are necessary to help deliver those benefits.
		No evidence to support the continued need for the increase in car parking spaces in light of the changes in working patterns and high street shopping as	Evidence on the impact of the pandemic on travel demand will be presented at the inquiry if necessary.

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		a result of the COVID-19 pandemic.	
		NCC has not shown that all the necessary resources are likely to be available to achieve the delivery of the Scheme.	NCC is satisfied that the estimate it has prepared for its land acquisition costs is robust and accurate. The Funding Statement submitted with the TWA application provides details of the resources available to the project via the Council's own funding commitment (£20.538m); and through the Department for Transport's rail network enhancement pipeline (£133.275m).
OBJ24	Royal Mail Group (RMG)	<p>Impact on RMG's ability to fulfil delivery and collection obligations. Request for further information about construction traffic and how this may impact on the local road network in the vicinity of works being undertaken.</p> <p>Request for further information regarding potential road diversions and traffic management measures with regards to bridge replacement of the level crossing on A1061 in Newsham.</p>	<p>NCC issued a formal response to RMG's objection on 26th July providing information about information about the proposals in the Application and how any disruption to the highway network is proposed to be avoided or managed.</p> <p>RMG subsequently removed its objection to the Order.</p>
OBJ25	Bernicia Group	No sufficient explanation or justification for extent of compulsory acquisition on Plots 269-273, land adjacent to Sleekburn House.	Since submission of the Application, the design of Bedlington Station has been developed to minimise land take at Bedlington, and the extent of land required from Sleekburn House has been reduced. This has been confirmed with the objector via letter (with a revised plan issued).

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		Adverse impacts on elderly and vulnerable residents which could render the apartments uninhabitable.	The reduced extent of land required will reduce impacts. NCC is continuing to liaise with Bernicia regarding any further measures that could be taken to ensure the grounds would still be enjoyed by residents and to mitigate noise and other impacts at the property.
		The impacts of the extent of land proposed to be compulsorily acquired at The Cheviots, Ashington (plots 314 – 319a).	The land is required as part of the proposed new Hospital underpass, which would replace the existing level crossing. The existing level crossing is proposed to be closed on safety grounds to avoid the risks, associated with the increased frequency and speed running of train services on the existing railway line upon the Scheme opening. The underpass has been located as close as possible to the existing level crossing, taking into account site constraints.
		Application is premature.	The Application for the Order is not premature. The absence of planning permission and a final design is not a reason to delay the Order being considered. The proposals contained in the Order have been developed in parallel with the preparation of the planning applications, the remainder of which are being submitted over the next few months.
OBJ26	Kaye Doyle (Arden House)	No sufficient explanation or justification for extent of acquisition of Plot 184.	<p>The remainder of the Doyle's land beyond that needed for the station and A1061 works has been included within the Order for two reasons.</p> <p>The land may be required for the purposes of providing flood compensation works that are necessary as a result of the station and overbridge development. Furthermore, the power to acquire the whole of the Doyle's land has been sought to enable NCC to acquire the whole of the title in the event that this is the preferred solution agreed in discussions with the Doyles.</p>

Objection		Grounds of objection	NCC's position (as at 1 September 2021)
		The perceived 'maximum extent' approach taken to land-take, which causes maximum uncertainty and anxiety for existing residents at Arden House.	To ensure the project is capable of being delivered it is critical that all land which has been identified as being required for the current stage of design (including any necessary mitigation) is included within the Order application. Where it becomes possible to reduce the amount of land required, this will be reflected in any revised drawings. NCC is in ongoing discussions with Mr and Mrs Doyle regarding the extent of the land required at Arden House.
		The Order is premature and is being promoted in advance of a reasonable level of certainty as to land-take.	The application for the TWAO is not premature. The Order application is based on a design which has reached a sufficient level of detail to enable a TWAO application to be submitted. Applications for TWAOs are typically submitted in advance of a detailed design being available and it is not necessary to have submitted a planning application or secured planning permission for the works before the application is submitted.
OBJ27	National Grid (NGET)	Potential impact on NGET's apparatus, including high voltage overhead lines.	NCC's advisors have met with NGET and have shared plans showing how the Scheme interacts with NGET's apparatus, with a view to agreeing suitable assurances to ensure the protection of that apparatus during the works.

- 15.6 Five representations were received by the Secretary of State in relation to the Application. These parties have requested continued liaison with NCC as the project develops. These representations are summarised below.
- 15.7 Stephen Shrubbs raised concerns regarding the use of Mares Close during construction of the works. The Applicant has provided written assurances to Mr Shrubbs including in relation to maintaining access for residents and making good any damage caused by construction vehicles.
- 15.8 British Volt noted that they are developing a new battery production facility at Blyth, Northumberland, located on the branch lines served by the Northumberland line. British Volt welcome the project but would like to be consulted on any rights affecting users of the branch lines covered by the Order. The Applicant is in dialogue with British Volt.
- 15.9 Northumberland County Council has made a representation in its statutory roles as Local Highway Authority and Local Planning Authority. A statement of common ground is proposed to be prepared on the matters raised in the representation.
- 15.10 McLagan Investments Limited (ASDA) submitted a representation in respect of the impact of the proposed use of land at its store in Blyth. The Applicant is progressing an agreement with McLagan Investments in relation to these matters including confirming that plot 257a does not need to be acquired for the purposes of the Scheme.
- 15.11 The Coal Authority submitted a representation noting that that parts of the site area for the Scheme fall within the Development High Risk Area. The Applicant is in contact with the Coal Authority regarding this.

Summary of support for the Project.

- 15.12 25 letters of support were received by the Secretary of State. The content of these letters is summarised below:
- The Northumberland Line will improve access from surrounding towns, such as Bedlington, Ashington and Blyth to employment hubs like Newcastle.
 - The Northumberland Line will open up new opportunities for education and travel.
 - The Northumberland Line will provide an incentive for potential employers to relocate to and invest in the area.
 - The Northumberland Line will provide vital infrastructure to deliver the region's aspirations for population and economic growth.
 - The Northumberland Line will help to attract visitors and improve local tourism.
 - The Northumberland Line will enhance public transport connectivity within and beyond the region.
 - The Northumberland Line will reduce congestion and improve air quality by moving people away from car travel and onto public transport.
 - The Northumberland Line will support the delivery of significant growth in sectors such as renewable energy, offshore oil and gas and engineering.

COMPLETION OF MAIN BODY TEXT

APPENDIX A APPLICANT'S LIST OF DOCUMENTS

The following is a list of the documents which the Applicant presently intends to refer to or put in evidence at the public inquiry. The Applicant reserves the right to refer to further documents if and insofar as they may become relevant or necessary.

Ref.	APPLICATION DOCUMENTS
APP1	Draft Order
APP2	Explanatory memorandum
APP3	Statement of aims
APP4	Report summarising consultations undertaken
APP5	Declaration of the status of the Applicant
APP6	Funding statement
APP7	List of consents, permissions or licences under other enactments
APP8	EIA screening decision received from the Secretary of State under rule 7 of the 2006 Rules
APP9	Waiver direction given by the Secretary of State under rule 18 of the 2006 Rules
APP10	Land and works plans
APP11	Rights of way plans
APP12	Book of Reference
APP13	Estimate of costs
APP14	Request for a planning direction under section 90(2A) of the Town and Country Planning Act 1990
APP15	The Northumberland Line: A Guide to the Proposed TWA Order
	LEGISLATION AND GUIDANCE (RELEVANT EXTRACTS)
APP16	Transport and Works Act 1992 (Part 1 and Schedule 1)
APP17	Town and Country Planning Act 1990 (section 70 and section 90)
APP18	Local Government Act 1972 (section 239)
APP19	Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (S.I. 2006 No.1466)
APP20	The Transport and Works (Inquiries Procedure) Rules 2004 (S.I. 2004 No. 2018)
APP21	Town and Country Planning (General Permitted Development) (England) Order 2015 (Part 8 and Part 18 of Schedule 2)
APP22	Transport and Works (Model Clauses for Railways and Tramways) Order 2006 (S.I. 2006 No. 1954)

APP23	Planning and Compulsory Purchase Act 2004 (section 38(6))
APP24	Acquisition of Land Act 1981 (section 19)
APP25	Compulsory Purchase Act 1965 (Part 1)
APP26	Guidance on Compulsory Purchase Process and the Crichel Down Rules (MHCLG, July 2019)
	NATIONAL AND LOCAL PLANNING AND TRANSPORT POLICIES AND STRATEGIES AND GUIDANCE
APP27	National Policy Statement for National Networks
APP28	National Planning Policy Framework
APP29	Northumberland Consolidated Planning Policy Framework
APP30	Northumberland Local Plan (draft)
APP31	North Tyneside Local Plan
APP32	Northumberland Local Transport Plan
APP33	Northumberland Infrastructure Delivery Plan
APP34	North Tyneside Infrastructure Delivery Plan
APP35	Northumberland Economic Strategy (2019)
APP36	North East Transport Plan
APP37	Transport for the North Strategic Transport Plan
	SCHEME DEVELOPMENT DOCUMENTS
APP38	Rail Network Enhancements Pipeline: A New Approach for Rail Enhancements (DfT, March 2018)
APP39	South East Northumberland Public Transport Corridor Study (AECOM, December 2011)
APP40	Outline Business Case (November 2019)
APP41	Wider Economic Benefits of the Ashington-Tyne Passenger Rail Service (AECOM, March 2015)
APP42	Northumberland County Council EIA Screening Opinion (Application Number: 20/02242/SCREEN), 13 November 2020
APP43	North Tyneside Council EIA Screening Opinion (Application Number: 20/1022/SCREIA), 19 November 2020
	OTHER INQUIRY DOCUMENTS
APP44	Statement of Case

APPENDIX B LOCATIONS WHERE DOCUMENTS MAY BE INSPECTED

As required by Rule 7 of the Transport and Works (Inquiries Procedure) Rules 2004 the documents which the Applicant intends to refer to or put in evidence at the forthcoming inquiry (as listed in Appendix A) will be available for inspection and (where practicable and subject to the payment of a reasonable charge) may be copied at the locations listed below.

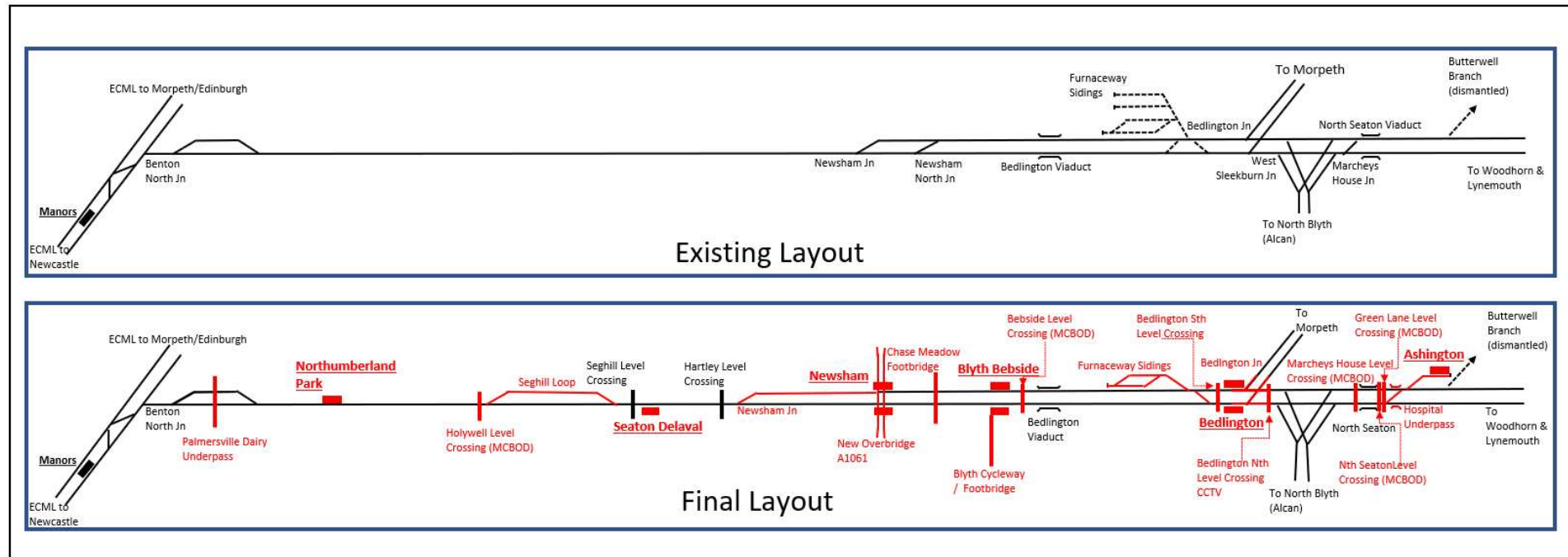
These documents will be available from 6 September 2021 until the date of commencement of the inquiry. In addition, the documents can be downloaded free of charge during this period from the following website: <https://gateleyhamer-pi.com/en-gb/northumberland-line/>

A copy of every Statement of Case served by any other party and every document served with them will also be made available at these locations once received and copied by the Applicant.

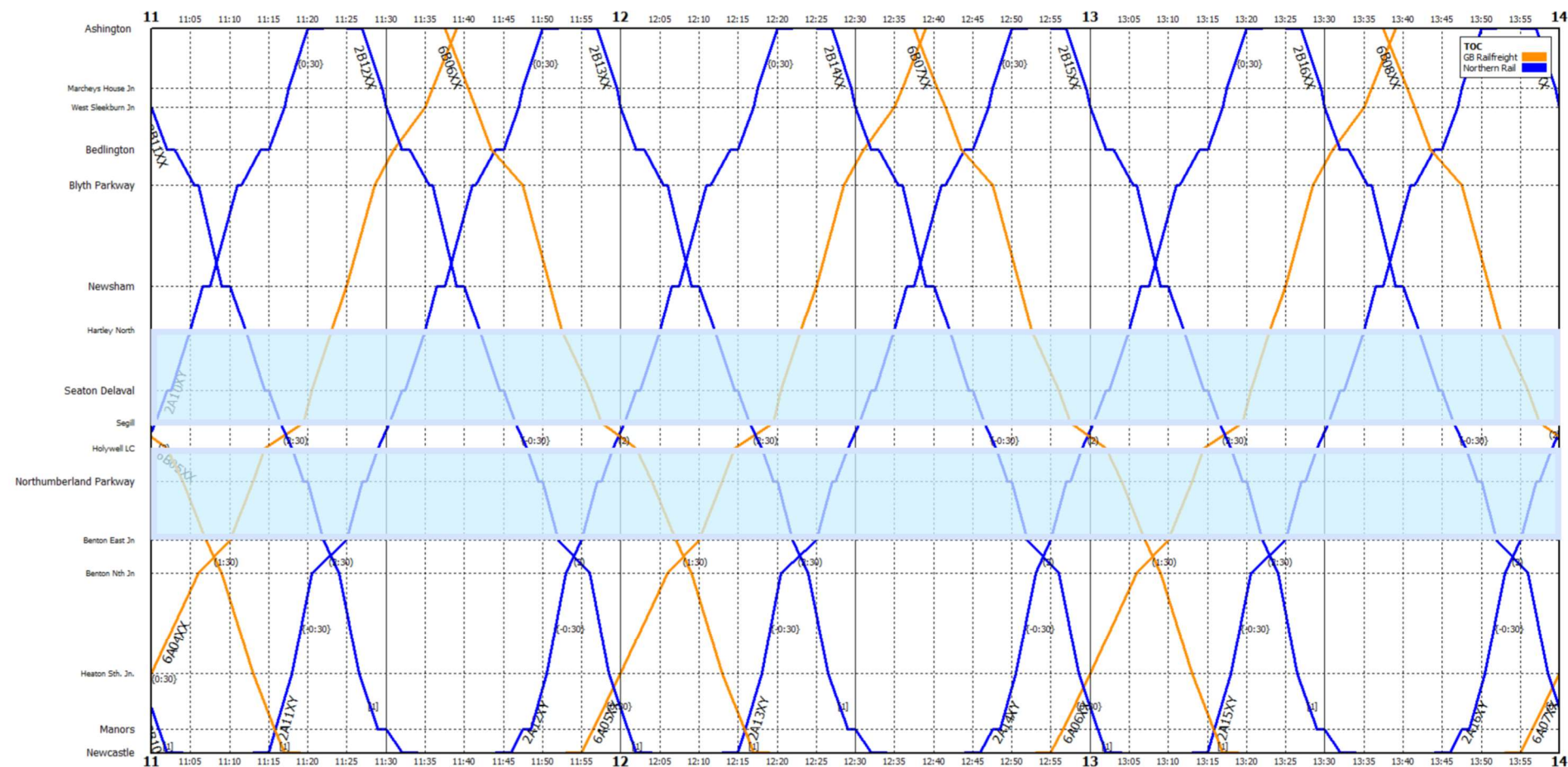
Location	Opening times
Ashington Library, Ashington Leisure Centre, Portland Park, Ashington NE63 9JY	Monday to Friday - 9am to 6pm Saturday - 9am to 1.30pm Sunday - Closed
Bedlington Library, Glebe Road, Bedlington NE22 6JX	Monday to Wednesday - 9am to 12.30pm and 1pm to 4pm Thursday - 9am to 1pm Saturday - 10am to 1pm Friday and Sunday – Closed
Blyth Library, Bridge Street, Blyth NE24 2DJ	Monday - 9am - 7pm Tuesday to Friday - 9am to 5pm Saturday - 9.30am to 12.30pm Sunday – Closed
Morpeth Library, Royal Sovereign House, Manchester Street, Morpeth, NE61 1AF	Monday to Friday - 9am to 5pm Saturday - 10am to 12pm Sunday – Closed
Shiremoor Library, Shiremoor Centre, Earsdon Road, Shiremoor NE27 0HJ	Tuesday and Thursday - 9am to 1pm and 2pm to 5.30pm Saturday - 9am to 1pm Monday, Wednesday, Friday and Sunday – Closed
Seaton Valley Community Council, 20-22 Astley Road, Seaton Delaval NE25 0DG	Monday to Friday - 8.30am to 4pm Saturday and Sunday – Closed

APPENDIX C DIAGRAMS CROSS-REFERENCED IN THE MAIN TEXT

C.1 SCHEMATIC INDICATION OF PRIMARY ROUTE INTERVENTIONS (FIGURE 2)



C.2 TRAIN GRAPH DIAGRAM (FIGURE 3)



C.3 SCHEME DELIVERY TIMESCALES (FIGURE 4)

