

TRANSPORT AND WORKS ACT 1992

**THE NETWORK RAIL (OLD OAK COMMON GREAT WESTERN MAINLINE TRACK
ACCESS) ORDER**

REBUTTAL EVIDENCE

OF

NICHOLAS GALLOP BSc

SUBMITTED ON BEHALF OF BELLAVIEW PROPERTIES LTD

DEPARTMENT FOR TRANSPORT REFERENCES:

TWA/21/APP/O1/OBJ/8;TWA/23/APP/02

DOCUMENT OBJ/08/04/04

NOVEMBER 2023

1 Introduction

- 1.1 This rebuttal evidence relates to matters raised in the proofs of evidence of Mr Andrew Fleming, Mr Chris Ford and Mr Jeremy Douch.
- 1.2 This Rebuttal has been prepared under the same terms as my main proof. I have not sought to rebut all areas of disagreement between the parties, and so the failure to identify any matter in this Rebuttal should not be taken as signalling my agreement to it.

2 Evidence of Mr Andrew Fleming (Colas Rail) for Network Rail

Paragraph 5.11

- 2.1 Engineering blockades on the national rail network are used by Network Rail throughout the year and not just at Christmas.¹
- 2.2 The risk of a 1-year delay to the OOC project in the event of missing / rescheduling the main line blockades should be taken against the wider context of the HS2 project. Services were originally due to start around 2026 but my understanding is that it will now be at least 2030 before this occurs. Further delays to the overall HS2 project cannot be ruled out.

Paragraph 5.18

- 2.3 The reference to typical 29-hour possessions is not supported by other information provided by Network Rail and HS2. Network Rail's contractors Colas Rail have advised that overnight possessions (10pm Saturday to 10am Sunday) are typically proposed. Further clarification is required on the proposed possession regime beyond that set out in Appendix L section 6.4, and the extent to which works such as hammering of piles will be undertaken during daytime or night-time possessions.

Paragraph 5.22

- 2.4 To respond further to points raised regarding the North Pole Depot land, I have included at Appendix T a detailed plan of the area under the ownership of the Secretary of State² to the south of the OOC station site. Points of note shown on the drawing include the following:
- a) The proximity of the illustrative OOC station footprint (pink shading) showing the extent of the station and track layout, part of which will be used when the GWML (track, signalling and electrification) is temporarily lifted and relocated to the north to create space to construct the southern part of the station;
 - b) The two existing main line access points for GWR trains operating to and from the North Pole Depot, namely the principal eastern access into the GWML and connecting routes on the GWML to the east which allow GWR trains access into the Relief Lines, and the secondary western access into the West London Line (WLL) from where trains can access the GWML to the north (via Mitre Bridge Junction) or the south (via Clapham Junction), thence via Acton Wells Junction and Acton West Junction providing access to the Relief and Main Lines;
 - c) The existing highway access arrangements (light green shading) from Mitre Way at the centre of

¹ Appendix H section 2, Appendix J, Appendix L section 6.4

² See also Appendix V

the site and Old Oak Common Lane at the western end of the site;

- d) The existing private internal highway access (light blue shading) and two internal level crossings over the depot sidings, over which goods vehicles already operate carrying materials associated with the Hitachi train maintenance operations on site, over which Network Rail already operate with vehicles carrying personnel and HGVs carrying RRVs and materials to and from the permanent RRAP, and over which HS2 contractors already operate carrying personnel, plant and materials to a temporary works site. The eastern level crossing is equipped with flashing lights, half barriers and road markings to warn road vehicles of train movements (Figure 1 below), the western level crossing equipped with road signage and markings (Figure 2 below);³ Rolling stock maintenance depots such as North Pole are typically managed from a central “control tower” which controls signals, points and monitors CCTV and vehicle / personnel movements around the site, including at any internal level crossings. These functions are managed by the North Pole Depot Control Room;
- e) The existing permanent RRAP at Barlby Gardens at the far eastern end of the site (dark green shading), including the access to the Main Lines and an adjacent compound used for material storage and portable/modular welfare facilities;
- f) The extent of land with no permanent features or uses within the site (yellow shading), together with an abandoned former Eurostar maintenance building (bronze shading);
- g) The eastern temporary RRAP site (yellow shaded area towards the centre of the site adjacent to the Mitre Bridge rail bridge over the GWML) identified by Network Rail,⁴ overlaid with my illustrative layout for the RRAP access point and RRV footprints;
- h) The western temporary RRAP site (yellow shaded area towards the western end of the site near the Old Oak Common Lane highway entrance, as a temporary contractor compound) identified by Network Rail,⁵ overlaid with my illustrative layout for the RRAP access point and RRV footprints. From analysis of aerial photography the site has been used at various points for temporary contractor accommodation, Mr Ford confirming that HS2 contractors are using the site at present;⁶
- i) HGV swept path analysis at various points of unused land, using the Logistics UK (formerly Freight Transport Association) design guidance for a standard design articulated HGV of 16.5m overall length as used by Network Rail for swept path analysis within the Horn Lane site.⁷

2.5 This plan shows how the existing Barlby Gardens RRAP would be used alongside proposed RRAP(s) inside the Hitachi Depot area, instead of the use of the temporary RRAP at Horn Lane, interconnected via the existing private internal road access and two existing internal level crossings (Figures 1 and 2 below), connected in turn to the external highway network. The two separate main line access points to the GWML and WLL could be used as required to maintain access for passenger trains on and off the depot. If the access to GWML Main Lines is to be blocked to GWR trains for OOC construction works (noting this will be planned months in advance) trains can either be outbased at other depots for the duration⁸ and/or use could be made of the WLL main line connection⁹ to maintain GWR trains access to and from the depot as described above.

³ Chris Ford Proof of Evidence page 13 first bullet point

⁴ Appendix M section 4.1

⁵ Appendix L section 5.3.6, Appendix M section 4.2

⁶ Page 13 first bullet point

⁷ NR09 OOC TWAO - Design

⁸ Appendix L para 6.3.3.2

⁹ Appendix L para 3.3.5.7

Figure 1 Hitachi North Pole Depot eastern internal level crossing (west of Mitre bridge) showing crossing warning lights and half barriers (circled) and STOP highway markings

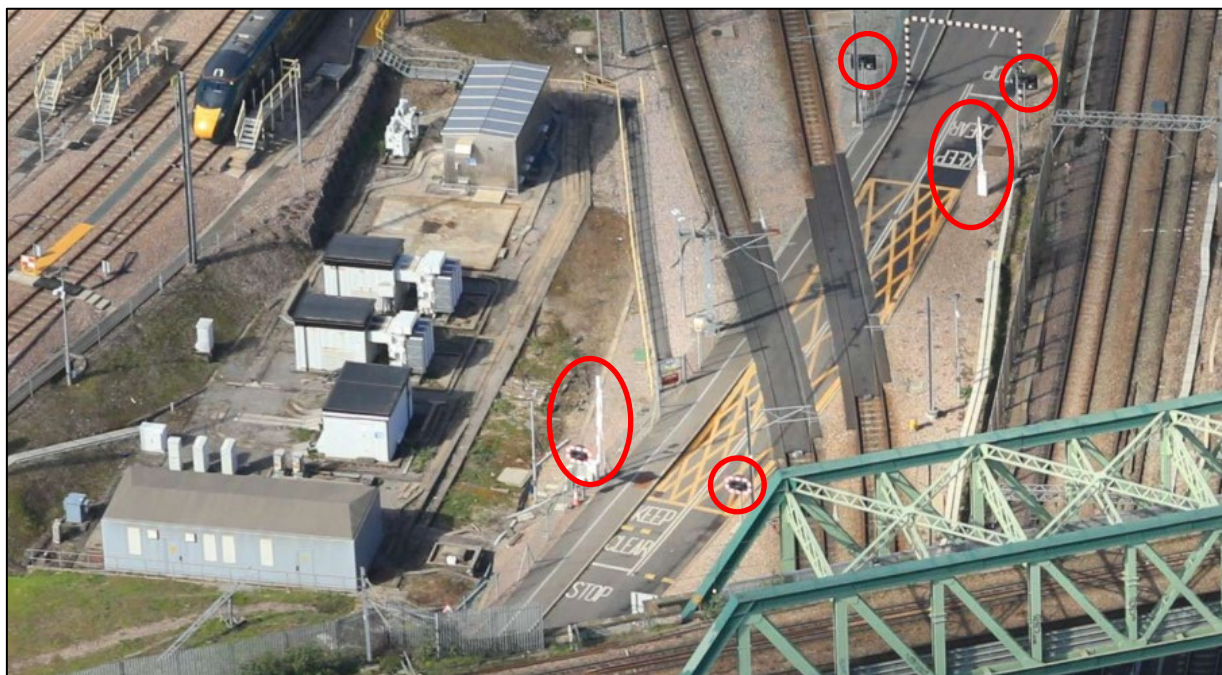
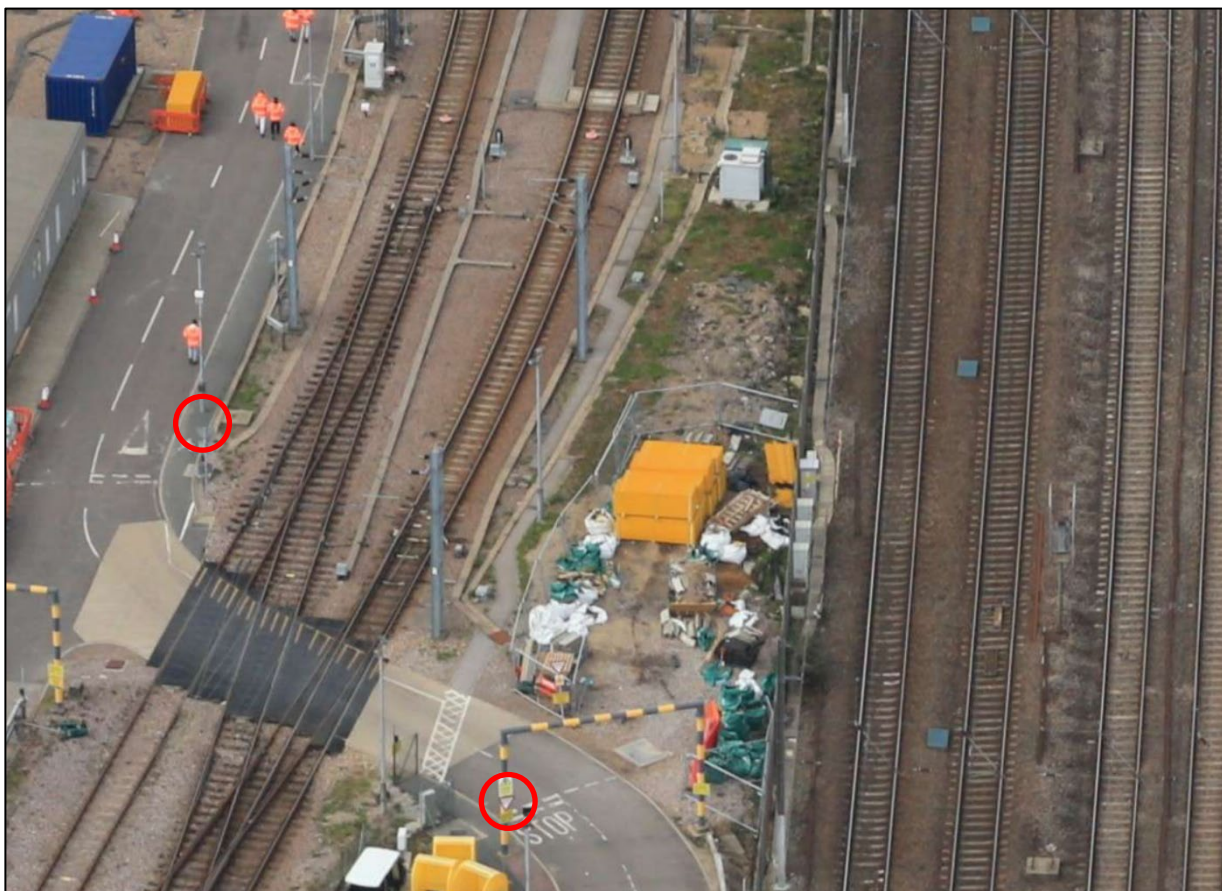


Figure 2 Hitachi North Pole Depot western internal level crossing (compound) showing Give Way signage (circled) and STOP highway markings



OBJ/08/04/04

- 2.6 The suggestion that the existing North Pole Depot RRAP (the existing Barlby Gardens RRAP which gives access to the GWML Main Lines) is not suitable for supporting the Old Oak Common (OOC) works is not borne out by Network Rail's own evidence, which proposes use of the site by the project.¹⁰ During construction of the project, the Barlby Gardens RRAP could be used along with the proposed use of one or more additional RRAPs within the North Pole Depot land, the latter (the eastern and western sites within the Hitachi Depot area itself) being located at either end of the proposed OOC works site.¹¹ This combination of RRAPs would be a suitable alternative to the proposed temporary RRAP at Horn Lane.

Paragraph 5.22

- 2.7 It is stated that access to North Pole Depot cannot be blocked beyond the existing maintenance possessions. However, there will be additional periods during the OOC works programme where, whether because of physical blockage of the Main Lines by on-track plant (e.g. RRV) and/or isolation of the overhead electrification and/or signalling systems, access to and from North Pole Depot via the eastern main line connection into the GWML will be blocked.¹²
- 2.8 Network Rail's evidence notes that GWR trains can be stabled at other locations.¹³ Network Rail's evidence also notes that North Pole Depot does have a second main line access available.¹⁴ This would allow GWR trains to access the Great Western Main Line (GWML) when the Main Lines are closed, via North Pole Junction, West London Junction, Acton Wells Junction and Acton Yard. This secondary route via the West London Line has been used by the GWR trains from their introduction, being the route used for delivery of trains from mainland Europe via the Channel Tunnel. The GWR Class 800 and 802 Intercity Express Trains (IET) have on-board diesel engines to enable their operation away from electrified routes, e.g. to and from Devon and Cornwall, Cheltenham, Worcester and west of Cardiff. GWR trains could therefore continue to access the GWML in combination with a new temporary RRAP for the OOC works and/or a new permanent RRAP at the North Pole Depot.

Paragraph 5.24

- 2.9 This confirms that the North Pole Depot site has sufficient space to mobilise the volume of plant required by the OOC project. Appendix T of my evidence further highlights the scale of available space.
- 2.10 With regard to the Jacobs Ladder existing permanent RRAP, even if the site could not be used as a temporary RRAP for the majority of the OOC possessions (assuming that these are absolutely fixed and will not be further amended as the OOC programme evolves and the outcome of the TWAO application is determined), it could still provide a role as a temporary RRAP for some of the OOC possessions (such as All Line Blocks when the entire GWML will be closed). Note also my previous comments on access for GWR trains to/from North Pole depot in paragraphs 2.4, 2.5 and 2.8 above.
- 2.11 The suggestion that RRAPs would have to be shared by OOC works and GWML maintenance activities and vehicles could be addressed by suitable planning and sequencing respectively, within the overall possessions regime covering the OOC works programme (see paragraph 2.7 above).

¹⁰ Appendix L, pages 19, 20, 26, 27, 44, 45, 64

¹¹ Appendix L para 1.2.1.1 (first bullet), 3.3.5.7/8, 4.1.3.9, 4.2.6.2, 4.2.8, 5.3.6, 8.2.3.5/6/7, page 95 stage 9, page 98 stage 12, page 102 stage 15, 11.2.3, 13.2.1.1 (first bullet)

¹² Appendix L section 6.3.3

¹³ Appendix L para 6.3.3.2, see also OBJ/08/04 para 3.16 item (6) – note in addition to the Hitachi depot sites, GWR also has an agreement with Hitachi to maintain the IET trains at its own depot in Plymouth (Laira)

¹⁴ Appendix L para 3.3.5.7

Paragraph 5.26

- 2.12 This paragraph relates to the permanent RRAP proposed on Plot 1. With regard to the isolation arrangements for the overhead electrification of the GWML in the vicinity of the Horn Lane site to allow its use as a temporary RRAP, this paragraph acknowledges that new equipment could be installed to rectify the current need to isolate the section of route out towards Ealing Broadway station. It states that the location of the permanent RRAP could not be used to travel to OOC (unless the isolation went back to Ealing Broadway station). Yet Mr Fleming states at paragraph 2.4 that *“the need for a permanent RRAP was included in the GWML Rail Systems Project requirements to provide maintenance to the new OOC GWML station when in operation”*. This suggests that Network Rail is prepared either to close the GWML all the way back to Ealing Broadway Station in order to access the OOC station from the proposed permanent RRAP, or is prepared to install the new equipment to access the OOC station from the RRAP.
- 2.13 The suggestion that the installation of new or additional isolation equipment would take over 100 hours to complete should be taken in the context of the OOC works themselves, which will involve moving the GWML through the OOC area and temporarily rebuilding it further north of its current position (paragraph 5.10). The 100 hours (the equivalent of 4 whole-day engineering blockades) could therefore be integrated into the wider programme.¹⁵ Network Rail’s evidence¹⁶ indicates that the “legacy” overhead electrification over a 12-mile section of the GWML from Paddington will need to be upgraded to the standards of the more recently electrified section of the GWML to the west. A further project to provide “Fast and Safer Isolations” between Paddington and Maidenhead was also identified in the Network Rail evidence. In this regard, such rectification works would presumably be capable of being undertaken as part of the wider OOC project, not least at this would be of benefit to any permanent RRAP established on the Triangle Site, which would otherwise retain this isolation constraint.

Paragraph 5.27

- 2.14 It is stated that the size of the permanent RRAP would not be sufficient to serve the works necessary to deliver the project, however, this is contrary to what Network Rail previously identified in their Construction Methodology Report¹⁷ and in Appendix D of Mr Gent’s Proof, Fig 19, also reproduced at paragraph 4.16 of Mr Gent’s Proof) which just shows use of Plot 1, and a small part of the BPL site to the side of the existing warehouse for use as a temporary RRAP. In any event as Mr Gent refers to in his Rebuttal Proof Network Rail does not explain why Plot 1 cannot be used in combination with BPL’s site to meet some compound requirements to reduce the land required within the BPL site.

Paragraph 5.28

- 2.15 This confirms that the proposed temporary RRAP will need to be operational within the next 15 months at the very latest. Given that this will also need a programme of enabling works, it is a concern as to whether sufficient time is now available to achieve this, noting the constraints facing this proposal as identified in my main Proof¹⁸ and that of Mr Gent. This may explain in part Network Rail’s evidence which recommends reaching an agreement on access to the Hitachi Depot site for provision of a temporary RRAP in case the Horn Lane site cannot be delivered.¹⁹ It is noted that Network Rail has not produced a programme of enabling works for either the BPL site, or the Triangle Site.

¹⁵ Appendix H section 3

¹⁶ Appendix L sections 3.5.8 and 3.5.90

¹⁷ Appendix L page 5

¹⁸ Para 4.12

¹⁹ See para 2.2 above

Paragraph 5.29

- 2.16 The statement that the temporary RRAP will also need a compound is not borne out by the advanced discussions on site with Colas Rail, which confirmed that the compound functions (i.e. storage of plant and materials) could be located elsewhere, feeding the RRAP on a “Just In Time” basis and with only a small operational area required on BPL’s land for use in association with the temporary RRAP.²⁰ This is also supported by Network Rail’s evidence, which suggests that such methods should be planned wherever possible to reduce site congestion and potential for damage, theft or vandalism, citing Acton Yard as an alternative to the Jewsons Yard for material storage.²¹ In order to deliver materials to site, it is presumed that these are stored elsewhere, and are not coming direct from multiple suppliers, in which case Network Rail will already have off site materials storage provided elsewhere.

Paragraph 5.35

- 2.17 Plot 1 backs onto residential properties in Lynton Road, and to access it vehicles will need to go past Acton House (using plot 3).

3 Evidence of Mr Chris Ford for Network Rail

Paragraph 3.4

- 3.1 Network Rail makes clear that the Relief Lines are being accessed by way of the existing RRAPs. Whilst not stated here, these include an existing temporary RRAP to the north of North Pole Depot within the existing OOC works site (which has a laydown area and welfare / office facilities)²² and Acton Good Yard (which has a laydown area but no offices or welfare facilities).

Paragraph 3.5

- 3.2 There are a number of All Line Block possessions proposed by Network Rail as part of the OOC works programme which do not all fall on Christmas Day.²³ Even the Christmas possessions in 2026 (11 days) and 2028 (18 days) do not just fall on Christmas Day.

Paragraph 3.6-3.8

- 3.3 Despite the constraints suggested, the Crossrail project was delivered, and similarly the lack of access to the Main Lines for maintenance has not led to Network Rail being unable to meet its Licence obligations. As noted, when Network Rail has been unable to achieve additional access points from third-party land, workaround solutions have been identified on Network Rail land. BPL has no record of being approached in relation to Crossrail access, it is likely that only Jewsons was approached.

Paragraphs 4.1 - 4.9

- 3.4 It has already been established in discussions with Colas Rail, and the evidence provided by Network Rail,²⁴ that the various components associated with the “compound” element of the RRAP can be disaggregated. The co-location of elements is not necessary. The temporary landtake sought by

²⁰ OBJ/08/04 para 6.2

²¹ Appendix L section 5.2.1

²² Appendix A page 3 blue number 7, see also Appendix T sheet 2 in the area immediately north of the Hitachi Western Temporary RRAP HGV turning area

²³ Appendix L page 72 Table 11

²⁴ Appendix L section 4.3.8

NETWORK RAIL is not therefore established.

Paragraph 4.11

- 3.5 It is stated that the Project needs to be located in close proximity to the North Pole Depot rail entrance. The plan at Appendix T shows where this eastern main line access is into the GWML, as well as the western rail access into the WLL. It is agreed that any additional permanent or temporary RRAPs should be located to the west of the GWML main line connections into North Pole Depot (Line A and Line B connections in Appendix T), but I would suggest that the existing permanent RRAP at Barlby Gardens can provide a complementary role in this regard, to maximise the overall opportunities to access the Main Lines. I believe this position to be consistent with the evidence provided by Network Rail in Appendix L which proposes use of Barlby Gardens RRAP alongside additional temporary RRAP(s) to the west of this RRAP.

Paragraph 4.16 – 4.17

- 3.6 I would refer to my previous comments against Mr Fleming's evidence in paragraphs 2.4, 2.5 and 2.8 of this Rebuttal. North Pole Depot has two points of access through to the GWML.²⁵ Other depots are available which can perform the maintenance requirements, which will be the case when North Pole Depot is cut off from the GWML by regular planned possessions, by OOC programme All Line Blocks, or indeed in the event of unforeseen circumstances (e.g. a failure of track, electrification, signalling or train across the GWML access to the east of the Depot).
- 3.7 In this regard, I have checked the service updates issued by GWR via social media from 1st September to date (8 weeks), during which time services to and from Paddington were disrupted due to failures of signalling, electrification, track or due to on-track or trackside emergencies. At the time of drafting this submission, GWR and National Rail online media channels have been describing problems with points and signalling between Paddington and Reading which have led to disruption of services throughout the day (the advice being given to customers is to use London Underground, London Buses or Chiltern Railways instead). This unplanned disruption excludes the ongoing industrial action, which has led to partial or complete disruption to services to and from Paddington on 9 days over the same period. Taken together with the planned partial and all-line blockades of the GWML associated with the OOC works, the level of reliability of the railway, and any changes to the pattern of planned disruption needed to deliver the OOC programme, needs to be framed within the wider context.

Paragraph 5.1 (North Pole Depot existing RRAP [Barlby Gardens])

- 3.8 First, second and third bullet points – these presume that access arrangements for GWR trains to and from North Pole Depot cannot be moved from the current possession arrangements. Network Rail and HS2 have stated in evidence that additional possessions will be required to complete the OOC works, that North Pole Depot has two separate access points for GWR trains (shown on Appendix T) and that GWR trains can be outbased at other locations when required. Therefore, greater use could be made of this existing RRAP and the considerable space surrounding the facility, within a suitable possession regime that addresses the concerns indicated. The first bullet point is countered by the ability to use other depots or use the WLL main line access, minimising disruption to train services (noting paragraph 3.7 above) and allowing greater access to this existing permanent RRAP. The second bullet point is similarly countered, as the ability to use other depots and/or the WLL main line access would allow additional possessions to be secured without the need for multi-part possessions, changes to which

²⁵ Appendix T

railway tracks are being worked on or isolated from the electrification and the suggested risk of confusion (albeit this bullet does acknowledge that such possessions could be considered to help mitigate some of the suggested disruption). The third bullet point is then countered that whilst “historically” the possession times have been shortened, the Network Rail evidence in Appendix L sets out how possession limits (section 6.3) and use of non-standard possessions (section 6.4) could be considered to address the overall needs of the OOC programme,

- 3.9 With regard to the need to hire in plant from third parties, it is worth reiterating at this point the existence of a purpose-built fleet of trains based at Swindon, which latterly have been used for the delivery and erection of overhead electrification on the GWML. The scope for using these trains and the Swindon depot as a “Local Delivery Centre” in support of the OOC works is referenced in Network Rail evidence.²⁶ Despite these “purpose-built high output” (HOPS) trains being available (and which could be based locally at Southall or Acton as required), the proposals for access within the TWAO rely on hired-in RRVs rather than existing resources already available to Network Rail.
- 3.10 Fourth and fifth bullet points – see paragraph 2.6 of this Rebuttal above. It would be possible to sequence GWML maintenance and OOC construction traffic within further iteration of the possessions regime to avoid the conflicts suggested. The extent to which the time taken for RRVs to access the OOC work site from this existing RRAP is a constraint will be a function of inter alia a) the availability of alternative RRAP (Appendix L acknowledging at para 4.2.6.2 that attaining an alternative RRAP to the Horn Lane site via the Hitachi Depot will be “vital” in case the former cannot be procured) and b) the over-arching possessions regime and how much time this affords access across those existing or additional RRAP that can be procured. In other words, if the Horn Lane site cannot be procured, Network Rail will still be able to procure other ways of gaining access to the Main Lines in order to complete the OOC works.

Paragraph 5.1 (Jacob’s Ladder existing RRAP)

- 3.11 First bullet point – there is a discrepancy here between the “half an hour” of extra RRV running times from the Barlby Gardens existing RRAP stated in the Table on page 7 (Barlby Gardens being stated in Network Rail evidence as being 1.25 miles from the OOC works site) and the “30 minutes” for the Jacobs Ladder existing RRAP stated here as being 3.5 miles from the OOC works site. Either way, this would suggest that the sites identified for temporary RRAPs within the Hitachi area of North Pole Depot, being immediately adjacent to the GWML Main Lines, and immediately adjacent to either end of the OOC works site would be a comparative advantage over all other sites identified.
- 3.12 Third and fourth bullet points – see paragraphs 3.8 and 3.9 of this Rebuttal above.
- 3.13 Fifth bullet point - see paragraph 3.4 of this Rebuttal above.
- 3.14 Sixth bullet point – with regard to the “PKR 750 crane” I have attached a data sheet for this type of vehicle at Appendix U. This shows that the vehicle is **16.5m in length** from cab to rear bumper. To set this in context for the proposed temporary RRAP on the Horn Lane site, my concerns about RRV fouling the Acton Main Line station island platform were based on a RRV design of **5.2m in length**. The PKR 750 RRV is more than three times this length. In addition, the Network Rail evidence indicates that, to cater for this type of vehicle, RRAP should be extended from 14.4m to 16.8m,²⁷ presumably along the line of the main line onto which the vehicle requires access. The plan NR09 of the temporary RRAP provided by Network Rail shows the length of the RRAP to be 15.747m on the Down Main and 12.796m

²⁶ Appendix L paras 5.4.3.15 - 17

²⁷ Appendix L para 4.1.3.13

on the Up Main, neither meeting the recommended 16.8m length. I would also refer here to paragraph 3.9 of this Rebuttal above in terms of the availability of purpose-built trains that could be used alongside or instead of hired-in equipment such as the PKR 750.

Paragraph 5.1 (Southall existing RRAP)

- 3.15 The general points repeated here from the narrative on preceding sites in this paragraph should refer to the corresponding paragraphs in this Rebuttal accordingly.

Paragraph 6.1 (Old Oak Common Lane (Hitachi Depot))

- 3.16 First and second bullet points:

- Access across / interaction with Hitachi - see paragraphs 2.4 and 2.6 of this Rebuttal above. In addition, it is worth noting that the use of the existing RRAP at Barlby Gardens can only be accessed by road vehicles via the Hitachi Depot entrance off Mitre Way,²⁸ Network Rail noting that the highway access at the very eastern end of the North Pole depot land is not used and has a school pedestrian crossing passing over it. On this basis, the delivery of RRV to Barlby Road must already be achieved using low-loader HGVs which have to use the Mitre Way (or Old Oak Common Lane) highway access points. The concerns raised here regarding interaction with Hitachi train maintenance, safety risk from moving plant, vehicles and trains from different organisations, large storage or advanced delivery of plant (see below) and train movements within the depot have and will continue to be addressed by the regular use of the permanent RRAP at Barlby Gardens.²⁹ Appendix T1 and T2 show the existing eastern highway connection from Mitre Way into the North Pole Depot land (shaded green) for road vehicles including HGVs. This road access is shared between Hitachi (to the left on entering the blue shaded private internal road access) and Barlby Gardens RRAP (to the right). The access is controlled by security guards working for Hitachi who ensure that only authorised vehicles and pedestrians can gain entry, hence there already is interaction between Hitachi and Network Rail operations, vehicles and personnel. Mr Ford also confirms here that in addition, HS2 contractors are currently occupying the surrounding land, demonstrating Hitachi's ability to cater for these activities, vehicle and personnel as well;
- Restricted storage - see paragraphs 2.4, 2.5, 2.6 and 3.4 of this Rebuttal above;
- Crossing of internal rail tracks within the Depot – already addressed by Network Rail's previous assessment and by Mr Gent's Proof of Evidence, see also Figures 1 and 2 above;³⁰
- "Historic" maintenance access through the depot has been prohibited – this should be considered in the light of the second bullet point which then follows, confirming that third-party contractors (working for HS2) are already on site. No further information has been provided as to how long the contractors might remain on site, given the proposal in the Network Rail evidence that this site would be used in part for welfare facilities.³¹

- 3.17 Third bullet point - road access arrangements have already been considered in Network Rail's evidence,³² as shown in the plan in my Appendix T and covered further in Mr Gent's Proof of Evidence.

²⁸ Appendix T

²⁹ See also Appendix L para 5.3.6.3

³⁰ Appendix L section 5.3.6

³¹ Appendix L section 4.2.8.1

³² Appendix L paragraph 4.2.8.5, section 5.3.5

- 3.18 Fourth bullet point – the plan in my Appendix T shows the considerable scale of space (open and covered) available to support compound requirements.

Paragraph 6.1 (Land to the east of the North Pole storage depot....)

- 3.19 I would refer to my previous comments in paragraphs 3.16 - 3.18 of this Rebuttal.

Paragraph 6.1 (Access of Old Oak Common Lane at the west end of the freight siding)

- 3.20 This section refers to Old Oak Common (Hitachi Depot) but there are no sidings provided for freight trains within the Depot.

Paragraph 8.3

- 3.21 Section a. - if the use of the Acton Goods Yard site is still under consideration, and as it has now been established with Colas Rail that a RRAP access point can be located separately from the associated compound facilities, the decision on the need and scale of access required in the Horn Lane / Triangle site should await the outcome of the ongoing consideration of the former. The subleases which Network Rail has with the current leasehold owner of the site (DB Cargo UK), which extend out to 2030 – 2119³³, the offer of support from DB Cargo UK for the OOC works³⁴, and confirmation of ongoing discussions between DB Cargo UK and Network Rail³⁵, further demonstrates that such consideration should be concluded before any further decision the Horn Lane / Triangle site. Given the acknowledgement of the 18 tonne weight limit on the Horn Lane highway overbridge over the GWML³⁶, which will restrict deliveries of materials by road from the north, use of the Acton Goods Yard site (or indeed the Willesden Euroterminal HS2 Logistics Hub leased to the Secretary of State for Transport and licensed to HS2 for phase 1 purposes³⁷) would allow 44 tonne deliveries to be made into the local area, from where 18 tonne deliveries could then be made on a Just In Time basis to the Horn Lane / Triangle site.
- 3.22 Section b (i) – see the preceding paragraph in this Rebuttal regarding the ability to separate access and storage elements of RRAPs.
- 3.23 Section b(ii) – discussions between Network Rail and BPL are now at an advanced stage regarding highway access over the Horn Lane site into the Triangle site, which confirms the point made that access constraints are plainly and demonstrably not insurmountable.
- 3.24 Section b(iii) - I would refer to my previous comments in paragraphs 2.12 and 2.13 of this Rebuttal.
- 3.25 Section c(ii) – the abandoned former Eurostar maintenance building on the North Pole Depot land sits outside of the Agility Trains / Hitachi lease area, covers an area of over 7,000 sq. metres with access to the highway network.³⁸ This would not require compulsory purchase, demolition or major civil engineering works to create access.

Paragraphs 8.4, 8.5 and 8.6

- 3.26 The proposed correction is against an issue not raised in BPL's proposal. It is already acknowledged that access for RRVs from the north (i.e. the Relief Lines) to the Main Lines can only be achieved when

³³ Appendix W

³⁴ Appendix S

³⁵ Appendix W

³⁶ Appendix L section 5.3.4.3

³⁷ Appendix P

³⁸ Appendix T

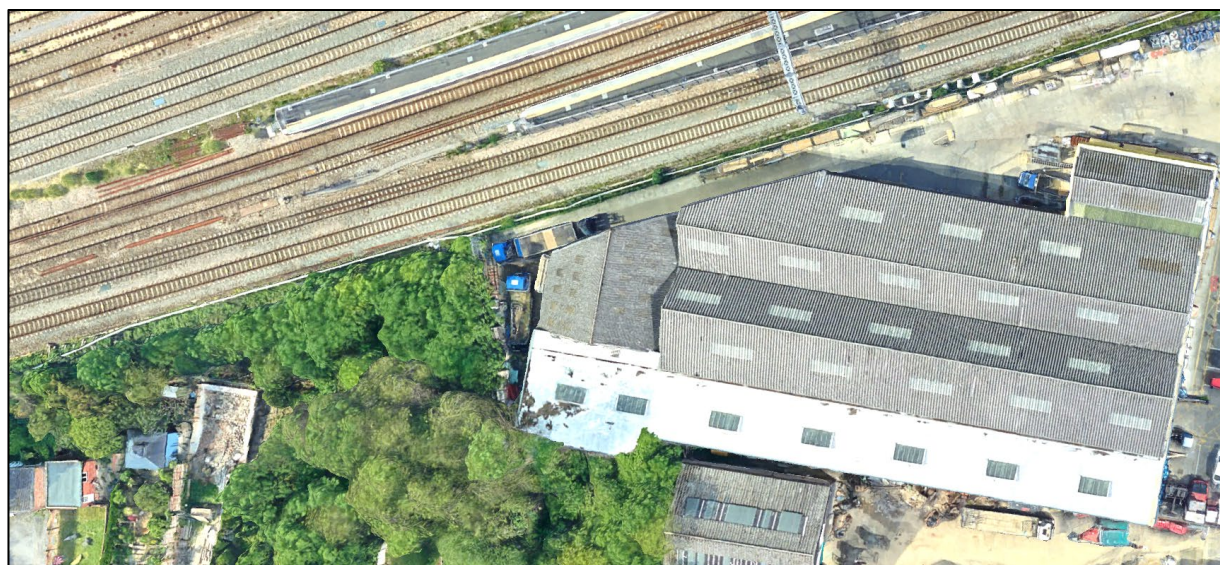
All Line Blocks (ALBs) are in place across the GWML. The point being made by BPL is that, during such ALB engineering possessions, it would be possible to install temporary RRAPs which would then enable RRVs to cross from the north to the south. Given that Acton Goods Yard remains under consideration for supporting the OOC works (paragraph 3.21 above), the ability to move RRVs and material directly onto the Main Lines from the existing RRAP during ALBs would save time (and presumably hire charges) compared to use of the Horn Lane / Triangle sites to the south.

- 3.27 Paragraph 8.6 notes the circumstances under which additional ALBs may be negotiated with train operating companies. It is suggested however that additional ALBs would “severely impact public transport provision and drive passengers to alternative, less sustainable transport modes on a permanent basis.” No evidence has been provided to support this assertion, and it is already acknowledged from Network Rail’s evidence that during such blockades (organised months or years in advance) passengers could use other public transport services from Ealing Broadway station (TfL underground and bus services). They could also use other routes on parallel main lines into London Waterloo and London Marylebone stations.³⁹ The need to use these alternative public transport services already occurs when the GWML is affected by scheduled or unscheduled disruption, the latter happening on at least a weekly basis in recent months (see paragraph 3.7 of this Rebuttal).

Paragraph 8.8

- 3.28 This has effectively been superseded by recent discussions between BPL, Colas Rail and Network Rail relating to the separation of access and storage functions. Network Rail has acknowledged that the issue related to the Triangle Site (isolation of the overhead electrification) could be rectified, which would then enable its use as a temporary and permanent RRAP, the latter then afforded greater potential as a result.
- 3.29 The “narrow path” between the Horn Lane site and the Triangle site would be of sufficient width to allow RRVs or maintenance vans to reach the RRAP itself, as highlighted by recent satellite imagery which clearly shows 2.5m wide HGVs parked in this area (see Figure 3 below).

Figure 3 Western end of Horn Lane site, showing HGV accessibility (source Google Earth)



³⁹ OBJ/08/08 paragraph 3.9

Paragraph 8.9

- 3.30 It is acknowledged that the Triangle site (Crown Land), as with all the other proposals for new RRAPs, would need a programme of enabling works, including a temporary RRAP, if provided on BPL's land. The point of contention here is that the proposals for a temporary RRAP come with their own set of constraints⁴⁰ and need for enabling works, and with just over a year before the RRAP would be required, which of the proposals (i.e. Barby Gardens, Hitachi Depot east and west, Horn Lane, Triangle site, Acton Goods Yard, Jacobs Ladder, Southall) is the most capable of being delivered within such a challenging timescale, whether using RRVs or the mothballed fleet of purpose-built HOPS trains to deliver the required works.

Paragraph 8.10

- 3.31 I would refer to my previous comments in paragraphs 2.12 and 2.13 of this Rebuttal.

Paragraph 8.12

- 3.32 I would refer to my previous comments in paragraph 3.28 of this Rebuttal. With separation of access and storage elements, the requirement for welfare facilities could then be scaled back and/or satisfied using mobile facilities, as indeed NETWORK RAIL now acknowledges. The existence of additional Network Rail pedestrian access points to the Main Lines from Acton Main Line station itself (which has toilet facilities) and Friary Road, combined with proposed use of shuttle buses to move staff to and from work sites (including Horn Lane),⁴¹ would again reduce the scale of welfare facilities needed at individual RRAPs.
- 3.33 The concern about an entirely remote storage area is again addressed in paragraph 3.28 above. The need for a local office facility at the Horn Lane / Triangle site could be addressed with a mobile / modular building solution.⁴² It should be remembered that all facilities needed at Horn Lane are only needed, in general, one evening or 29 hours period a fortnight. The justification for permanently located as opposed to mobile solutions for most facilities is therefore lacking because of the lack of continuous need. Reference should also be made to Mr Gent's Rebuttal Proof which includes an appendix identifying the status of negotiations with Colas Rail and the facilities now said to be required by Network Rail at BPL's site, and to the Rebuttal Proof of Mr Connell who appends the exchange of plans between Stace (BPL's project managers) and Colas Rail relating to site sharing.
- 3.34 In terms of remote car parking (paragraph b (iii)), this has already been addressed by Network Rail.⁴³
- 3.35 Paragraph d refers to "suitable times of operation" but these have not been set out in the TWAO application. Given the residential location, a condition may be appropriate (see Mr Connell's Rebuttal Proof for further commentary on conditions).

Paragraph 8.17

- 3.36 It is of great concern that the existence and high profile of HS2's principal logistics hub for the southern area of the project on the Willesden Euroterminal site (which falls within the general location known in railway parlance as Willesden Junction) is seemingly unknown.⁴⁴ It is located less than 1km to the north

⁴⁰ OBJ/08/04 para 4.12, see also para 3.12 of this Rebuttal

⁴¹ Appendix L para 4.2.2.5, 4.2.3.5, 4.2.4.4, 4.2.5.5 (Horn Lane), 4.2.7.4, 4.2.8.5, section 4.3

⁴² Appendix L section 4.3.8

⁴³ Appendix L section 4.3

⁴⁴ OBJ/08/04 paras 3.2 – 3.5, 3.17 item 11, 4.17, 6.3, 6.4, Appendix P

of the OOC work site with a direct highway link between the two sites.

Paragraph 8.19

3.37 The response to the concerns raised by STARK are covered earlier in this Rebuttal regarding access for GWR trains to and from North Pole Depot. Notably, this section acknowledges the existence of the abandoned former Eurostar building which is shown on the plan attached at Appendix T. Given that this building is bounded to the south by the existing private internal road access, with no intervening depot sidings between the two, I am unclear as to why a road “culvert” would be required under tracks which no longer exist and would therefore not need to be elevated or slewed as suggested. The proposed Kensal Canalside development would be to the north of the GWML and therefore would have no interaction with a temporary RRAP constructed to the south (part of which could be fully enclosed within the abandoned Eurostar building). With regard to the statement that the RRAP must be located to the west of the access and egress between the GWML and the Hitachi depot, I would repeat the points made earlier at paragraph 3.5, in summary that it is agreed that any additional permanent or temporary RRAPs should be located to the west of the GWML main line connections into North Pole Depot (Line A and Line B connections in Appendix T), but I would reiterate that the existing permanent RRAP at Barby Gardens (which is itself within the access/egress lines to the North Pole depot) can provide a complementary role in this regard.

Paragraph 9.1

3.38 On the basis of this Rebuttal evidence, I do not share the conclusion that the Order Land is the only real and obvious location for the Project. The factors a) to f) suggested as forming part of the criteria (which notably still exclude Network Rail’s own Best Practice methodology contained in Core Document 34), when considered against Network Rail’s own preceding evidence (Appendix L to my Proof of Evidence), indicates the following:

- The largest single area of vacant railway operational land (in excess of 10 acres) is already in the Secretary of State’s ownership at North Pole Depot, with a significant part of this area outside of the Hitachi lease area;
- The land lies immediately to the south of the OOC works site and the GWML Main Lines;
- The land is fully-enclosed by high-security fencing, CCTV and lighting, originally installed to provide security commensurate with previous Channel Tunnel operations;
- It includes an existing operational permanent RRAP and the associated HGV and RRV access to and from the main highway network;
- It includes an abandoned steel-framed building covering over 7,000 square metres, outside of the Hitachi lease area;
- Network Rail has already identified two potential locations for temporary RRAPs within this land, in addition to the existing permanent RRAP, all linked by a private internal highway access;
- The land is currently being used for engineering access in connection with the wider HS2 project;
- Elsewhere, the Triangle Site is capable of providing a temporary and permanent RRAP with the same level of capability as the Jacob’s Ladder permanent RRAP further west. The isolation of the overhead line electrification (OLE) is capable of being addressed, within the scale and programme of the wider OLE works proposed for the OOC project;

- Additionally, Network Rail has a mothballed fleet of purpose-built “factory” trains available to support the OLE works based on the GWML at Swindon, which would be capable of use on the OOC project, so reducing the need to hire in third-party RRVs and provide additional access points to the network.

4 Evidence of Mr Jeremy Douch for Network Rail

Paragraph 7.2

- 4.1 Note that in terms of conflicts between Network Rail works and BPL works, in general, in transport terms there is no conflict, times when works are being undertaken there is no conflict, no parking conflict, no office or welfare needs conflict, the only conflict is therefore physical space. BPL's project manager is certain that this can be resolved by agreement. BDL's hoarding line will change as the development progresses, with more land needed initially and less at the end. However, the hoarding line will only be Heras fencing which can be moved and adapted to enable NETWORK RAIL movements as necessary.