

## South Stoke & Goring Railway Electrification Action Group

### Meeting with Network Rail – Goring Parish Council Offices – 15<sup>th</sup> July 2015

#### Attendees:

**Chair:** Kevin Bulmer – Goring Parish Council, South Oxfordshire District Council & Oxfordshire County Council

#### **SS & GG RAG (RAG):**

Ian Haslam, Nigel Hawkey, John Wills (Goring PC), Ron Bridle, Bryan Urbick (South Stoke & Goring PC), Lucy Murfett (Chilterns Conservation Board – Planning Officer)

#### **Others:**

Peter Brampton (SODC Planning), Professor Richard Harding (CPRE – Chairman, Wallingford District)

#### **Network Rail:**

Mike Foss (Programme Sponsor), Nia Griffiths (Head of Consents and Environment), Richard Turner (Community Relations Manager)

#### **Apologies:**

John Howell, (MP – Henley), John Cotton (Leader –SODC), Lucy Page – North Wessex Downs AONB – Planning Officer)

#### Agenda:

1. Impact of Network Rail's recent refocus on Western Route Electrification
2. Clarification of Network Rail's latest corrective piling plans in the Goring Gap area
3. Network Rail's proposed remedial action for the Goring Gap area
4. Network Rail's proposed consultation plan
5. Response from Action Group to Network Rail's answers
6. Clarification of Network Rail's Section 85 duties
7. Summary of Actions/Next steps

#### Introductions

Kevin Bulmer (KB) asked everyone to introduce themselves. He then passed on John Cotton's apologies for his absence and quoted him as saying that he was most concerned about the appearance of the structures being put up in the electrification programme and that he gave a commitment as leader of the SODC, to do 'all that is necessary' to remedy the situation.

#### **1. Impact of NR's recent refocus on GW electrification**

Richard Turner (RT) and Mike Foss (MF) made reference to the Transport Secretary of State's recent announcement regarding the change in project scope for NR's upgrade and electrification programme, indicating that Great Western electrification is now of particular importance and that Reading-to-Didcot section, as the test track' is "top, top priority". NR stated that the deadline for completion for this section of track is 31 December 2015.

Ian Haslam responded by restating the Transport Secretary's full quote ie "electrification of the Great Western line is a top priority and I want Network Rail to concentrate its efforts on getting that right". He argued that this could be interpreted two ways;

- If 'getting it right' is about **quality** then NR needs to start thinking about the impact of the roll-out programme on local areas and especially where there are legal obligations to adhere to.
- If this is about **budget and schedule** then NR needs to ensure that it gets it right at the earliest opportunity. If the whole electrification programme is deemed complete and there were subsequently a legal ruling requiring NR to complete remedial work to satisfy its statutory obligations, then the incremental costs would be much higher and the delays would have much more impact.

## **2. Corrective Piling Plans**

IH sought clarification as to the meaning of a recent NR communication to South Stoke 'Railway Neighbours' referring to additional piling work along that track section. Nia Griffiths (NG) answered that it refers to 'additional piling work' and not 'additional piling plans'. Nigel Hawkey (NH) read out the relevant part of the letter from NR arguing that it could be interpreted as referring to corrective piling. KB suggested that the letter failed to communicate in 'plain English'. RT attempted to clarify letter indicating it is about notifying for a longer period for the works. NG explained some detail about the challenges of the piling and the limitations on NR in being able to do the work (ie hitting a hard layer and needing to come back and use different tools to install the piles. There was then a short debate by several participants as to 'what the letter really means', before RT committed to review the letter and as a follow-up explain what the letter means.

## **3. NR's proposed remedial actions**

RT presented a draft document entitled 'Great Western Route Modernisation; South Stoke & Goring Gap Design Considerations'. This showed the design steps that NR had undertaken for the development of the Overhead Line Equipment (OLE) for the Great Western Electrification programme. Key points are;

- The design has to provide a system compliant with the Energy Technical Specification for Interoperability (TSI) under the Railway Interoperability Regulations (RIR).
- Current UK systems do not conform to the RIR Energy TSI.
- A design ie Series ,1 has been specifically designed for the Great Western Main Line

IH asked whether the basic design being employed with in the Chilterns AONB is the same as that being used outside the AONB. Nia Griffiths confirmed that it is "...the same on most of the test section". IH explained that this is at the core of our argument – that this shows that there was no concern for the AONB and no special consideration given.

NR gave more explanation of Mono Beam vs OLEMI systems and after further reading of the document added that NR had "avoided using certain structures" in the design rationale.

NR stated that some bespoke fixings had been developed for listed structures, such as the Moulsoford and Gatehampton viaducts. They also referred the meeting to some visualisations that they had created, showing the visual impact (from a distance and from close-up) of lattice style masts and painting the mast and booms.

There were then further points raised by RAG members about how that document didn't really address the concerns and issues in that the design approach appeared to have been based on using a basic, compliant design and then modifying this slightly, but only to fit the local ground conditions ie track curvature, track width, distance between individual tracks. Again it was pointed out that this was the wrong approach for an AONB, especially given its protection status, and the design should have started from one where there was minimal visual intrusiveness and then modified to make it practical to the overall system.

#### **4. Network Rail's proposed consultation plan**

NG argued that the consultation plan was in essence the ongoing process ie the production of the report and the forthcoming planting discussion. NR also proposed a public engagement session or drop-in session, at which 9 – 12 members of NR will attend and sit one on one with members of the public explaining the design process and addressing concerns.

KB responded for RAG saying that the consultation process proposed by NR could not replace the promise made by NR to consult and engage with the local authorities during the detailed design stage ie what was being proposed now would not be able to fundamentally change the design and was simply an exercise in justifying their choices.

**NG said that the detailed design was still ongoing and that “We are doing a hand-to-mouth process; the design and implementation are being done at the same time.”**

Lucy Murfett (LM) asked NR how the local authorities were then supposed to be able to influence the design.

IH pointed out that a review of alternative design systems for the area eg headspans was not covered in the report and there was no evidence that this had been addressed.

KB asked “If lattice, for example, was preferred (by the community after consultation), would NR consider it?” to which MF replied “Yes, based on considering everything.”

LM reinforced the need for proper consultation including independent LVIA (Landscape and Visual Impact Assessment) and the direct consultation of Chilterns Conservation Board and North Wessex Downs AONB.

KB expressed his concern that the document and discussion were not providing scientific evidence to back up NR's conclusions.

NG spoke of NR's intent of mitigation measures through a planting programme, to which LM raised the issue of off-site landscape mitigation, as required by Natural England. NG replied with a shared example of current programme and budget with NR's commitment to no net loss of biodiversity. LM commented “That is only one aspect, what about other off-site mitigation measures?” NG responded that these were to be discussed, reaffirmed NR's commitment to do this – “The mitigation measures haven't even started yet...” although they said that budget was in place to examine where they could mitigate through planting (and confirm their bio-diversity pledge).

Ron Bridle asked why head-spans were not being considered for this stretch of track, adding is it possible to reduce the train speed to ensure reliability, to which MF & NG replied “That's not an option.”

IH asked specifically “Did F&F try to design for the special area of the AONB?” This query was supported by LM's statement– “It should have been part of the specification.” and John Wills (JW) &

RB question “Did you design specifically for the sensitive AONB?” IH reiterated this key point that without seeing any difference in design it’s difficult to see that specific consideration for the area thereby NR cannot claim that it has ‘had regard for the to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty’ as is required by legislation. There was no direct answer from NR.

## **5. Response from Action Group to Network Rail’s answers**

IH commented that due to the time taken for discussion so far he didn’t intend to go through all the responses, but wanted to highlight two key responses that needed action from NR;

- Under the Freedom of Information Act, the group formally requests copies of minutes of any internal / consultant meetings where there was discussion of Network Rail's Permitted Development Rights in the AONBs affected by the Western Route electrification programme, as well as the company's obligations under Section 85 of the Countryside and Rights of Way Act 2000, including those regarding briefing to consultants.
- Under the Freedom of Information Act, the Action Group formally requests Network Rail for a copy of the business case used to justify this design over others.

## **6. Clarification of Network Rail’s Section 85 duties**

Lucy Murfett gave a presentation outlining the following;

- The role and function of the Chilterns Conservation Board (CCB)
- Its Statutory Purposes and Planning Role
- The Management Plan and Current Threats including that of Insensitive Infrastructure of Installations of the railway electrification programme
- The Government’s National Planning Policy Framework which states in Para 115. **“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty”**.
- Network Rail’s statutory duties under Section 85 of the Countryside and Rights of Way Act 2000: **“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”**
- Natural England’s view
- how other statutory undertakers are addressing sec 85 duties to have regard to the purposes of conserving and enhancing AONBs
- Conclusions
  - Particular importance of the AONB but worst design is going in
  - Legal duties not addressed
  - Failure to test the alternatives
  - Failure to consult
  - Failure to mitigate harm to AONB landscapes on or off site

NG responded for NR stating that “The mitigation is being planned and will take place up to 2018”.

RB commented that “You talked about ‘post-installation mitigation’, not mitigation during installation.”

NG replied that “We don’t (yet) know that mitigation looks like.”

## **7. Next steps**

### **NG for NR;**

- Will reply to questions/comments from RAG
- Acknowledge the two FOI requests
- Will revise the report to take into consideration discussion
- Will engage with Conservation Board
- Will pursue consultation process ie public engagement’ through ‘drop-in sessions’

### **IH for RAG;**

- Will read/digest information given by NR
- Will reaffirm representatives (for mitigation measures ie planting, etc)
- Will produce the minutes of the meeting for review
- Will determine within the group how seriously NR are taking this issue considering NR’s reactions to date, the report produced and the fact that NR didn’t send senior NR representatives
- If the group thinks NR is still not serious in fulfilling its duties the group plans to ‘ramp things up’ by;
  - Engaging a lawyer to pursue Section 85 compliance
  - Initiate talks with the media to further publicise the action
  - Seek to broaden the action by getting involvement of others – ie other AONBs or stretches of track affected by the electrification - and NR passengers

NG responded for NR arguing that “We are serious. You have senior representation.” referring to Mike Foss who is Programme Sponsor for the electrification programme – and reports directly to Simon Maple, who is currently on vacation.

RB and IH asked whether NR would do retrospective work on the area if that were necessary due to later legal rulings. NG responded “If we have failed in our duty...we will accept retrospective work.” IH asked whether this was what NR had meant when using the term ‘remedial’ work in a recent email, to which RT concurred. KB and RB asked for clarification that NR were prepared to “...even take down and replace?” NR confirmed that they would.

IH and NH reminded NR of the extra cost and subsequent schedule issues of NR’s current plans for the test-track stretch rather than getting it right the first time, and that this would create a huge public and press outcry, possibly more embarrassing than the recent one over project cancellations.

KB highlighted the official representation – from OCC, SODC, CCBP, GPC and SSPC as distinct from the Action Group – and though RAG may have a specific request for wire head-spans, the official element seeks to see the statutory process adhered to and a suitable and sensitive design for the area.

### **AOB**

RB gave NR a hand-out summarising the Group’s aims and explained intent to use to publicise the campaign.

Bryan Urbick (BU) asked that the 'universe' of the report to be widened beyond 'what's available in the UK' and be specific about other options, not chosen.

Peter Brampton (PB) offered to introduce the new SODC Planning Landscape specialist, Ms Huijer.

NR asked that a copy of Lucy's presentation was sent to him – and was asked for a digital copy of the NR report (NR asked that this remain confidential amongst the group)

LM offered to give the presentation at Network Rail offices if required

IH asked if NR would consider a change of test track in order to allow time to get this section right, rather than rushing through the current design to meet the end year deadline - NR agreed to discuss this proposal in-house.

**End of meeting**